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United Nations

Staff Regulations and Rules of the United Nations

Secretary-General's bulletin

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ST/SGB/2018/1

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Secretary-General's bulletin

Staff Regulations and Rules

Under the Charter of the United Nations, the General Assembly provides staff regulations which set out the broad principles of human resources policy for the staffing and administration of the Secretariat and the separately administered funds and programmes. The Secretary-General is required by the staff regulations to provide and enforce such staff rules, consistent with these principles, as he considers necessary.

The Secretary-General promulgates the following with respect to the Staff Regulations and Rules of the United Nations, established by the General Assembly in accordance with Article 101 of the Charter:

Section 1
Revised edition of the Staff Regulations and Rules

1.1 By its resolution 72/254, the General Assembly approved the following amendments to the Staff Regulations and annexes thereto:

(a) Regulation 3.2 (a) is amended to revise the criteria covering post-secondary education to make the education grant payable up to the end of the school year in which the child completes four years of post-secondary studies or attains a first post-secondary degree, whichever comes first, subject to the upper age limit of 25 years, as approved by the General Assembly in section III, paragraph 26, of its resolution 70/244. In accordance with section III, paragraphs 27 and 28, of the same resolution, the reference to the amount of the grant based on 75 per cent of admissible expenses is replaced by the sliding scale of reimbursement of admissible expenses consisting of tuition, including tuition in the mother tongue, and enrolment-related fees actually incurred. The reference to additional education grant travel at designated duty stations is deleted;

(b) Regulation 3.2 (b) relating to additional assistance with boarding costs at designated duty stations is deleted. A new paragraph (b) is added to reflect the decision of the General Assembly to limit assistance with boarding-related expenses to staff serving in field duty stations whose children are boarding to attend school outside the duty station and to provide flexibility for the Secretary-General to establish conditions under which boarding assistance would exceptionally be granted to staff members serving at headquarters duty stations (resolution 70/244, sect. III, para. 29);

(c) Regulation 3.2 (e) is deleted; as stepchildren and adopted children are already covered by the definition of "child" in staff rule 3.6 (a) (ii), that provision is not needed;

(d) Regulation 9.2 is amended to reflect the increase in the mandatory age of separation to 65 years for all staff members, including those appointed prior to 1 January 2014, as endorsed by the General Assembly in section I of its resolution 70/244.

1.2 The General Assembly noted the amendments to staff rules 3.9, 4.14, 4.16, 7.2, 9.6, 10.4 and 11.5, the new staff rule 13.13 and the amendments to appendices B and D to the Staff Rules, subject to the provisions of the same resolution.

1.3 The revised text of the Staff Regulations and Rules incorporating the amendments referred to above is attached to the present bulletin.

1.4 Articles 8, 97, 100, 101 and 105 of the Charter of the United Nations, which relate to the service of the staff, are included in the introductory part of the present edition of the Staff Regulations and Rules, on page 6.

1.5 In the present edition, each article of the Staff Regulations of the United Nations precedes each chapter of the related Staff Rules.

Section 2
Final provisions

2.1 In accordance with staff regulations 12.1, 12.2, 12.3 and 12.4, the revised Staff Regulations and Rules are effective as from 1 January 2018.

2.2 The present bulletin abolishes Secretary-General's bulletin ST/SGB/2017/1 and ST/SGB/2017/1/Corr.1.

(*Signed*) António **Guterres**
Secretary-General

Charter of the United Nations

Provisions relating to service of the staff

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 100

1. In the performance of their duties, the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

Earlier amendments to the Staff Regulations

The General Assembly established the Staff Regulations of the United Nations according to Article 101 of the Charter by resolution 590 (VI) of 2 February 1952 and amended them thereafter by resolutions 781 (VIII) and 782 (VIII) of 9 December 1953, resolution 882 (IX) of 14 December 1954, resolution 887 (IX) of 17 December 1954, resolution 974 (X) of 15 December 1955, resolution 1095 (XI) of 27 February 1957, resolutions 1225 (XII) and 1234 (XII) of 14 December 1957, resolution 1295 (XIII) of 5 December 1958, resolution 1658 (XVI) of 28 November 1961, resolution 1730 (XVI) of 20 December 1961, resolution 1929 (XVIII) of 11 December 1963, resolution 2050 (XX) of 13 December 1965, resolution 2121 (XX) of 21 December 1965, resolution 2369 (XXII) of 19 December 1967, resolutions 2481 (XXIII) and 2485 (XXIII) of 21 December 1968, resolution 2742 (XXV) of 17 December 1970, resolution 2888 (XXVI) of 21 December 1971, resolution 2990 (XXVII) of 15 December 1972, resolution 3008 (XXVII) of 18 December 1972, resolution 3194 (XXVIII) of 18 December 1973, resolutions 3353 (XXIX) and 3358 B (XXIX) of 18 December 1974, resolution 31/141 B of 17 December 1976, resolution 32/200 and decision 32/450 B of 21 December 1977, resolution 33/119 of 19 December 1978, decision 33/433 of 20 December 1978, resolution 35/214 of 17 December 1980, decision 36/459 of 18 December 1981, resolution 37/126 of 17 December 1982, resolution 37/235 C of 21 December 1982, resolution 39/69 of 13 December 1984, resolutions 39/236 and 39/245 of 18 December 1984, decision 40/467 of 18 December 1985, resolutions 41/207 and 41/209 of 11 December 1986, resolutions 42/221 and 42/225 of 21 December 1987, resolution 43/226 of 21 December 1988, resolution 44/185 of 19 December 1989, resolution 44/198 of 21 December 1989, resolutions 45/241 and 45/251 of 21 December 1990, resolution 45/259 of 3 May 1991, resolution 46/191 of 20 December 1991, resolution 47/216 of 12 March 1993, resolution 47/226 of 30 April 1993, resolutions 48/224 and 48/225 of 23 December 1993, resolutions 49/222 and 49/223 of 23 December 1994, resolution 49/241 of 6 April 1995, resolution 51/216 of 18 December 1996, resolution 52/216 of 22 December 1997, resolution 52/225 of 4 February 1998, resolution 52/252 of 8 September 1998, resolution 54/238 and decision 54/460 of 23 December 1999, resolution 55/223 of 23 December 2000, resolution 55/258 of 14 June 2001, resolution 56/244 of 24 December 2001, resolution 57/285 of 20 December 2002, resolution 57/310 of 18 June 2003, resolution 58/265 of 23 December 2003, resolution 59/268 of 23 December 2004, resolutions 60/238 and 60/248 of 23 December 2005, resolution 61/239 of 22 December 2006, resolution 62/227 of 22 December 2007, resolution 63/271 of 7 April 2009, resolution 65/248 of 23 December 2010, resolutions 67/254 A and 67/255 of 12 April 2013, resolutions 68/252 and 68/253 of 27 December 2013, resolution 70/244 of 23 December 2015, resolution 70/256 of 1 April 2016, resolution 71/263 of 23 December 2016 and resolution 72/254 of 24 December 2017.

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Staff Regulations of the United Nations

Scope and purpose

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat. They represent the broad principles of human resources policy for the staffing and administration of the Secretariat. For the purposes of these Regulations, the expressions "United Nations Secretariat", "staff members" or "staff" shall refer to all the staff members of the Secretariat, within the meaning of Article 97 of the Charter of the United Nations, whose employment and contractual relationship are defined by a letter of appointment subject to regulations promulgated by the General Assembly pursuant to Article 101, paragraph 1, of the Charter. The Secretary-General, as the chief administrative officer, shall provide and enforce such staff rules consistent with these principles as he or she considers necessary.

Article I
Duties, obligations and privileges

Regulation 1.1
Status of staff

(a) Staff members are international civil servants. Their responsibilities as staff members are not national but exclusively international;

(b) Staff members shall make the following written declaration witnessed by the Secretary-General or his or her authorized representative:

> "I solemnly declare and promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other source external to the Organization.
>
> "I also solemnly declare and promise to respect the obligations incumbent upon me as set out in the Staff Regulations and Rules."

(c) The Secretary-General shall ensure that the rights and duties of staff members, as set out in the Charter and the Staff Regulations and Rules and in the relevant resolutions and decisions of the General Assembly, are respected;

(d) The Secretary-General shall seek to ensure that the paramount consideration in the determination of the conditions of service shall be the necessity of securing staff of the highest standards of efficiency, competence and integrity;

(e) The Staff Regulations apply to all staff at all levels, including staff of the separately funded organs, holding appointments under the Staff Rules;

(f) The privileges and immunities enjoyed by the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the staff members who are covered by them to fail to observe laws and police regulations of the State in which they are located, nor do they furnish an excuse for non-performance of their private obligations. In any case where an issue arises regarding the application of these privileges and immunities, the staff member shall immediately report the matter to the Secretary-General, who alone may decide whether such privileges and immunities exist and whether they shall be waived in accordance with the relevant instruments.

Regulation 1.2
Basic rights and obligations of staff

Core values

(a) Staff members shall uphold and respect the principles set out in the Charter, including faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women. Consequently, staff members shall exhibit respect for all cultures; they shall not discriminate against any individual or group of individuals or otherwise abuse the power and authority vested in them;

(b) Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to,

probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status;

General rights and obligations

(c) Staff members are subject to the authority of the Secretary-General and to assignment by him or her to any of the activities or offices of the United Nations. In exercising this authority the Secretary-General shall seek to ensure, having regard to the circumstances, that all necessary safety and security arrangements are made for staff carrying out the responsibilities entrusted to them;

(d) In the performance of their duties staff members shall neither seek nor accept instructions from any Government or from any other source external to the Organization;

(e) By accepting appointment, staff members pledge themselves to discharge their functions and regulate their conduct with the interests of the Organization only in view. Loyalty to the aims, principles and purposes of the United Nations, as set forth in its Charter, is a fundamental obligation of all staff members by virtue of their status as international civil servants;

(f) While staff members' personal views and convictions, including their political and religious convictions, remain inviolable, staff members shall ensure that those views and convictions do not adversely affect their official duties or the interests of the United Nations. They shall conduct themselves at all times in a manner befitting their status as international civil servants and shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and, in particular, any kind of public pronouncement that may adversely reflect on their status, or on the integrity, independence and impartiality that are required by that status;

(g) Staff members shall not use their office or knowledge gained from their official functions for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those they favour. Nor shall staff members use their office for personal reasons to prejudice the positions of those they do not favour;

(h) Staff members may exercise the right to vote but shall ensure that their participation in any political activity is consistent with, and does not reflect adversely upon, the independence and impartiality required by their status as international civil servants;

(i) Staff members shall exercise the utmost discretion with regard to all matters of official business. They shall not communicate to any Government, entity, person or any other source any information known to them by reason of their official position that they know or ought to have known has not been made public, except as appropriate in the normal course of their duties or by authorization of the Secretary-General. These obligations do not cease upon separation from service;

Honours, gifts or remuneration

(j) No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government;

(k) If refusal of an unanticipated honour, decoration, favour or gift from a Government would cause embarrassment to the Organization, the staff member may receive it on behalf of the Organization and then report and entrust it to the Secretary-General, who will either retain it for the Organization or arrange for its disposal for the benefit of the Organization or for a charitable purpose;

(l) No staff member shall accept any honour, decoration, favour, gift or remuneration from any non-governmental source without first obtaining the approval of the Secretary-General;

Conflict of interest

(m) A conflict of interest occurs when, by act or omission, a staff member's personal interests interfere with the performance of his or her official duties and responsibilities or with the integrity, independence and impartiality required by the staff member's status as an international civil servant. When an actual or possible conflict of interest does arise, the conflict shall be disclosed by staff members to their head of office, mitigated by the Organization and resolved in favour of the interests of the Organization;

(n) All staff members at the D-1 level and above shall be required to file financial disclosure statements on appointment and at intervals thereafter as prescribed by the Secretary-General, in respect of themselves, their spouses and their dependent children, and to assist the Secretary-General in verifying the accuracy of the information submitted when so requested. The financial disclosure statements shall include certification that the assets and economic activities of the staff members, their spouses and their dependent children do not pose a conflict of interest with their official duties or the interests of the United Nations. The financial disclosure statements will remain confidential and will only be used, as prescribed by the Secretary-General, in making determinations pursuant to staff regulation 1.2 (m). The Secretary-General may require other staff to file financial disclosure statements as he or she deems necessary in the interest of the Organization;

Outside employment and activities

(o) Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Secretary-General;

(p) The Secretary-General may authorize staff members to engage in an outside occupation or employment, whether remunerated or not, if:

(i) The outside occupation or employment does not conflict with the staff member's official functions or the status of an international civil servant;

(ii) The outside occupation or employment is not against the interest of the United Nations; and

(iii) The outside occupation or employment is permitted by local law at the duty station or where the occupation or employment occurs;

Use of property and assets

(q) Staff members shall use the property and assets of the Organization only for official purposes and shall exercise reasonable care when utilizing such property and assets;

(r) Staff members must respond fully to requests for information from staff members and other officials of the Organization authorized to investigate the possible misuse of funds, waste or abuse.

Regulation 1.3
Performance of staff

(a) Staff members are accountable to the Secretary-General for the proper discharge of their functions. Staff members are required to uphold the highest

standards of efficiency, competence and integrity in the discharge of their functions. Their performance will be appraised periodically to ensure that the required standards of performance are met;

(b) The whole time of staff members shall be at the disposal of the Secretary-General for the performance of official functions. The Secretary-General shall establish a normal working week and shall establish official holidays for each duty station. Exceptions may be made by the Secretary-General as the needs of the service may require, and staff members shall be required to work beyond the normal tour of duty when requested to do so.

Chapter I
Duties, obligations and privileges

Rule 1.1
Status of staff

(a) The declaration made by a staff member on appointment pursuant to staff regulation 1.1 (b) shall be placed in his or her official status file. A new declaration shall be made after a break in service that exceeds three months.

(b) The declaration administered under staff regulation 1.1 (b) shall not prevent the close collaboration of staff with a Government pursuant to an agreement between the Government and the United Nations.

Rule 1.2
Basic rights and obligations of staff

General

(a) Staff members shall follow the directions and instructions properly issued by the Secretary-General and by their supervisors.

(b) Staff members must comply with local laws and honour their private legal obligations, including, but not limited to, the obligation to honour orders of competent courts.

(c) Staff members have the duty to report any breach of the Organization's regulations and rules to the officials whose responsibility it is to take appropriate action and to cooperate with duly authorized audits and investigations. Staff members shall not be retaliated against for complying with these duties.

(d) Disciplinary procedures set out in article X of the Staff Regulations and chapter X of the Staff Rules may be instituted against a staff member who fails to comply with his or her obligations and the standards of conduct set out in the Charter of the United Nations, the Staff Regulations and Rules, the Financial Regulations and Rules and administrative issuances.

Specific instances of prohibited conduct

(e) Sexual exploitation and abuse is prohibited. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or the age of consent locally, except where a staff member is legally married to a person who is under the age of 18 but over the age of majority or consent in his or her country of citizenship. Mistaken belief in the age of a child is not a defence. The exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. United Nations staff members are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse.

(f) Any form of discrimination or harassment, including sexual or gender harassment, as well as abuse in any form at the workplace or in connection with work, is prohibited.

(g) Staff members shall not disrupt or otherwise interfere with any meeting or other official activity of the Organization, including activity in connection with the administration of justice system, nor shall staff members threaten, intimidate or otherwise engage in any conduct intended, directly or indirectly, to interfere with the ability of other staff members to discharge their official functions. Staff members

shall not threaten, retaliate or attempt to retaliate against such individuals or against staff members exercising their rights and duties under the present Rules.

(h) Staff members shall not intentionally misrepresent their functions, official title or the nature of their duties to Member States or to any entities or persons external to the United Nations.

(i) Staff members shall not intentionally alter, destroy, falsify or misplace or render useless any official document, record or file entrusted to them by virtue of their functions, which document, record or file is intended to be kept as part of the records of the Organization.

(j) Staff members shall not seek to influence Member States, principal or subsidiary organs of the United Nations or expert groups in order to obtain a change from a position or decision taken by the Secretary-General, including decisions relating to the financing of Secretariat programmes or units, or in order to secure support for improving their personal situation or the personal situation of other staff members or for blocking or reversing unfavourable decisions regarding their status or their colleagues' status.

(k) Staff members shall neither offer nor promise any favour, gift, remuneration or any other personal benefit to another staff member or to any third party with a view to causing him or her to perform, fail to perform or delay the performance of any official act. Similarly, staff members shall neither seek nor accept any favour, gift, remuneration or any other personal benefit from another staff member or from any third party in exchange for performing, failing to perform or delaying the performance of any official act.

Honours, gifts or remuneration

(l) No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government. However, if refusal of an unanticipated honour, decoration, favour or gift from a Government would cause embarrassment to the Organization, the staff member may receive it on behalf of the Organization provided that it is reported and entrusted to the Secretary-General through established procedures.

(m) Acceptance by staff members of any honour, decoration, favour, gift or remuneration from non-governmental sources requires the prior approval of the Secretary-General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the interests of the Organization and with the staff member's status as an international civil servant. If circumstances do not allow for prior approval or if refusal of an unanticipated honour, decoration, favour or gift, including a minor gift of essentially nominal value, would cause embarrassment to the Organization, staff members may receive it on behalf of the Organization provided that it is reported and entrusted to the Secretary-General through established procedures.

(n) The Secretary-General may authorize staff members to accept from a non-governmental source or a university or a related institution, academic awards, distinctions and tokens of a commemorative or honorary character, such as scrolls, certificates, trophies or other items of essentially nominal monetary value.

(o) Staff members, as part of their official functions, will be expected from time to time to attend governmental or other functions such as meetings, conferences, meals and diplomatic receptions. Such attendance is not considered receipt of a favour, gift or remuneration within the meaning of the Staff Regulations and Rules.

(p) Staff members shall not accept any gift, remuneration or favour from any source having or seeking to have any type of contractual relationship with the Organization.

Conflict of interest

(q) A staff member whose personal interests interfere with the performance of his or her official duties and responsibilities or with the integrity, independence and impartiality required by the staff member's status as an international civil servant shall disclose any such actual or possible interest to the head of office and, except as otherwise authorized by the Secretary-General, formally excuse himself or herself from participating with regard to any involvement in that matter which might give rise to a conflict of interest situation.

(r) Pursuant to staff regulation 1.2 (n), the Secretary-General shall establish procedures for the filing and utilization of financial disclosure statements.

Outside employment and activities

(s) Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Secretary-General.

(t) Staff members shall not, except in the normal course of official duties or with the prior approval of the Secretary-General, engage in any outside activities that relate to the purpose, activities or interests of the United Nations. Outside activities include but are not limited to:

(i) Issuing statements to the press, radio or other agencies of public information;

(ii) Accepting speaking engagements;

(iii) Taking part in film, theatre, radio or television productions;

(iv) Submitting articles, books or other material for publication, or for any electronic dissemination.

Approval may be granted in accordance with staff regulation 1.2 (p).

(u) Membership in a political party is permitted, provided that such membership does not entail action, or an obligation to take action, by the staff member contrary to staff regulation 1.2 (h). The payment of normal financial contributions to a political party shall not be construed as an activity inconsistent with the principles set out in staff regulation 1.2 (h).

(v) The Secretary-General shall establish procedures whereby staff may seek in confidence clarification as to whether proposed outside activities would conflict with their status as international civil servants.

Travel and per diem for outside activities

(w) Staff members who are authorized by the Secretary-General to participate in activities related to the work of the Organization which are organized by a Government, intergovernmental organization, non-governmental organization or other private source may receive from that organizing entity accommodation, travel and subsistence allowance generally in line with those payable by the United Nations. In such cases the daily subsistence allowance that may otherwise be payable by the United Nations shall be reduced as envisaged by staff rule 7.10 (a).

Rule 1.3
Performance of staff

(a) Staff members shall be evaluated for their efficiency, competence and integrity through performance appraisal mechanisms that shall assess the staff member's compliance with the standards set out in the Staff Regulations and Rules for purposes of accountability.

(b) The Secretary-General shall seek to ensure that appropriate learning and development programmes are available for the benefit of staff.

(c) Performance reports shall be prepared regularly for all staff members, including at the Assistant Secretary-General level and above, in accordance with procedures promulgated by the Secretary-General.

Rule 1.4
Hours of work and official holidays

(a) The Secretary-General shall set the normal number of working hours per week for each duty station. Exceptions may be made by the Secretary-General as the needs of service may require. A staff member may be required to work beyond the normal number of working hours whenever requested to do so.

(b) The number of official holidays at each duty station shall be 10 days in each calendar year, including those official holidays mandated by the General Assembly, which shall be observed at all duty stations. When an official holiday falls on a non-working day, the preceding or following working day which is closest to the holiday shall be observed as an official holiday.

(c) The official holidays not mandated by the General Assembly shall be determined by the Secretary-General at Headquarters, and by the head of office or mission at other duty stations, after staff consultation.

Rule 1.5
Notification by staff members and obligation to supply information

(a) Staff members shall be responsible for supplying the Secretary-General with relevant information, as required, both during the application process and on subsequent employment, for the purpose of determining their status under the Staff Regulations and Rules as well as for the purpose of completing administrative arrangements in connection with their employment. Staff members shall be held personally accountable for the accuracy and completeness of the information they provide.

(b) Staff members shall also be responsible for promptly notifying the Secretary-General, in writing, of any subsequent changes affecting their status under the Staff Regulations or Staff Rules.

(c) A staff member who intends to acquire permanent residence status in any country other than that of his or her nationality or who intends to change his or her nationality shall notify the Secretary-General of that intention before the change in residence status or the change in nationality becomes final.

(d) A staff member who has been arrested, charged with an offence other than a minor traffic violation or summoned before a court as a defendant in a criminal proceeding, or who has been convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Secretary-General.

(e) A staff member may at any time be required by the Secretary-General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability or concerning facts relevant to his or her integrity, conduct and service as a staff member.

Rule 1.6
Staff member's beneficiaries

(a) At the time of appointment, each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of the staff member to notify the Secretary-General of any revocations or changes of beneficiaries.

(b) In the event of the death of a staff member, all amounts due to the staff member will be paid to his or her nominated beneficiary or beneficiaries, subject to application of the Staff Rules and of the Regulations of the United Nations Joint Staff Pension Fund. Such payment shall afford the United Nations a complete release from all further liability in respect of any sum so paid.

(c) If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount due to the staff member will, upon the staff member's death, be paid to his or her estate.

Rule 1.7
Financial responsibility

Staff members shall exercise reasonable care in any matter affecting the financial interests of the Organization, its physical and human resources, property and assets.

Rule 1.8
Liability insurance

In accordance with General Assembly resolution 22 E (I) of 13 February 1946, staff members who own or drive motor cars shall carry public liability and property damage insurance in an amount adequate to insure them against claims arising from injury or death to other persons or from damage to the property of others caused by their cars.

Rule 1.9
Proprietary rights

All rights, including title, copyright and patent rights, in any work performed by a staff member as part of his or her official duties shall be vested in the United Nations.

Article II
Classification of posts and staff

Regulation 2.1

In conformity with principles laid down by the General Assembly, the Secretary-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required.

Chapter II
Classification of posts and staff

Rule 2.1
Classification of posts

(a) Posts other than those of Under-Secretary-General and Assistant Secretary-General shall be classified in categories and level by a competent United Nations body according to standards promulgated by the Secretary-General and related to the nature of the duties, the level of responsibilities and the qualifications required.

(b) Each post shall be assigned to a suitable level in any of the following categories: Professional and higher categories, Field Service category, General Service and related categories, including but not limited to National Professional Officers, Trades and Crafts and Security Service categories.

Article III
Salaries and related allowances

Regulation 3.1

Salaries of staff members shall be fixed by the Secretary-General in accordance with the provisions of annex I to the present Regulations.

Regulation 3.2

(a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country. The grant shall be payable in respect of the child up to the end of the school year in which the child completes four years of post-secondary studies or attains a first post-secondary degree, whichever comes first, subject to the upper age limit of 25 years. Admissible expenses actually incurred shall be reimbursed based on a sliding scale, subject to a maximum grant as approved by the General Assembly. Under conditions established by the Secretary-General, travel costs for the child of a staff member in receipt of assistance with boarding expenses and attending school at the primary and secondary levels may also be paid for an outward and return journey once in each scholastic year between the educational institution and the duty station. Such travel shall be by a route approved by the Secretary-General but not in an amount exceeding the cost of such a journey between the home country and the duty station;

(b) Under conditions established by the Secretary-General, assistance for boarding-related expenses shall be provided to staff members serving in duty stations other than those classified as headquarters duty stations and whose children are boarding to attend school outside the duty station at the primary and secondary levels, at an amount approved by the General Assembly. The Secretary-General may establish conditions under which boarding assistance may exceptionally be granted to staff members serving at headquarters duty stations whose children are boarding to attend school outside the duty station at the primary and secondary levels;

(c) The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member serving in a country whose language is different from his or her own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his or her own;

(d) The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 100 per cent of the education expenses actually incurred, up to a maximum amount approved by the General Assembly.

Regulation 3.3

(a) An assessment at the rates and under the conditions specified below shall be applied to the salaries and such other emoluments of staff members as are

computed on the basis of salary, excluding post adjustments, provided that the Secretary-General may, where he or she deems it advisable, exempt from the assessment the salaries and emoluments of staff members engaged at locality rates;

(b) (i) The assessment shall be calculated at the following rates for staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations:

Assessment

Total assessable payments (United States dollars)	*Staff assessment rates for purposes of pensionable remuneration and pensions (percentage)*
Up to 20,000 per year	11
20,001 to 40,000 per year	18
40,001 to 60,000 per year	25
60,001 and above per year	30

Staff assessment rates used in conjunction with gross base salaries (effective 1 January 2017)

Assessable payments (United States dollars)	*Staff assessment rates (percentage)*
First 50,000 per year	17
Next 50,000 per year	24
Next 50,000 per year	30
Remaining assessable payments	34

(ii) The assessment shall be calculated at the following rates for staff members whose salary rates are established under paragraph 7 of annex I to the present Regulations:

Total assessable payments (United States dollars)	*Assessment (percentage)*
Up to 20,000 per year	19
20,001 to 40,000 per year	23
40,001 to 60,000 per year	26
60,001 and above per year	31

(iii) The Secretary-General shall determine which of the scales of assessment set out in subparagraphs (i) and (ii) above shall apply to each of the groups of personnel whose salary rates are established under paragraph 6 of annex I to the present Regulations;

(iv) In the case of staff members whose salary scales are established in currencies other than United States dollars, the relevant amounts to which the assessment applies shall be fixed at the local currency equivalent of the above-mentioned dollar amounts at the time the salary scales of the staff member concerned are approved;

(c) In the case of a person who is not employed by the United Nations for the whole of a calendar year or in cases where there is a change in the annual rate of

payments made to a staff member, the rate of assessment shall be governed by the annual rate of each such payment made to him or her;

(d) The assessment computed under the foregoing provisions of the present regulation shall be collected by the United Nations by withholding it from payments. No part of the assessment so collected shall be refunded because of cessation of employment during the calendar year;

(e) Revenue derived from staff assessment not otherwise disposed of by specific resolution of the General Assembly shall be credited to the Tax Equalization Fund established by General Assembly resolution 973 A (X);

(f) Where a staff member is subject both to staff assessment under this plan and to national income taxation in respect of the salaries and emoluments paid to him or her by the United Nations, the Secretary-General is authorized to refund to him or her the amount of staff assessment collected from him or her provided that:

(i) The amount of such refund shall in no case exceed the amount of his or her income taxes paid and payable in respect of his or her United Nations income. The amount of such refund shall not include tax credits applied to income taxes paid and payable in respect of his or her United Nations income;

(ii) If the amount of such income taxes exceeds the amount of staff assessment, the Secretary-General may also pay to the staff member the amount of such excess;

(iii) Payments made in accordance with the provisions of the present regulation shall be charged to the Tax Equalization Fund;

(iv) A payment under the conditions prescribed in the three preceding subparagraphs is authorized in respect of dependency benefits and post adjustments, which are not subject to staff assessment but may be subject to national income taxation.

Regulation 3.4

Staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations shall be entitled to receive a dependent spouse allowance in the amount of 6 per cent of net base salary plus post adjustment, under conditions established by the Secretary-General.

Regulation 3.5

Staff members without a spouse whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations shall be entitled to a single parent allowance in respect of the first dependent child in the amount of 6 per cent of net base salary plus post adjustment, under conditions established by the Secretary-General.

Regulation 3.6

(a) Staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations shall be entitled to receive dependency allowances for a dependent child, for a disabled child and for a secondary dependant at rates approved by the General Assembly as follows:

(i) The staff member shall receive an allowance for each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member receives a single parent allowance under regulation 3.5;

(ii) The staff member shall receive a special allowance for each disabled child. However, if the staff member is entitled to the single parent allowance under regulation 3.5 in respect of a disabled child, the allowance shall be the same as the allowance for a dependent child in subparagraph (i) above;

(iii) Where there is no dependent spouse, a single annual allowance shall be paid for a secondary dependant in respect of either a dependent parent, a dependent brother or a dependent sister;

(b) If both husband and wife are staff members, one may claim, for dependent children, under subparagraph (a) (i) and (ii) above, in which case the other may claim only under subparagraph (a) (iii) above, if otherwise entitled;

(c) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary-General shall prescribe conditions under which the dependency allowance for a child specified in subparagraph (a) (i) above and regulation 3.5 shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance;

(d) Staff members whose salary rates are set by the Secretary-General under paragraph 6 or paragraph 7 of annex I to the present Regulations shall be entitled to receive dependency allowances at rates and under conditions determined by the Secretary-General, due regard being given to the circumstances in the locality in which the office is located;

(e) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year.

Chapter III
Salaries and related allowances

Rule 3.1
Salary scales

(a) The Secretary-General shall publish the salary scales, pensionable remuneration and conditions of salary increments for staff members appointed in the Professional category and in the Field Service category.

(b) The Secretary-General shall publish the salary scales, pensionable remuneration and conditions of salary increments applicable to each duty station for staff members appointed in the General Service and related categories, including but not limited to National Professional Officers, the Trades and Crafts category, the Security Service, language teachers and personnel specifically recruited for service with a mission from within the general area of the mission.

(c) The Secretary-General may establish special conditions of employment applicable to language staff in the Professional category appointed for specific temporary assignments.

Rule 3.2
Staff assessment

(a) In application of the staff assessment plan under staff regulation 3.3:

(i) Salaries for staff members in the Professional and higher categories and in the Field Service category shall be subject to the assessment rates specified in subparagraph (b) (i) of that regulation;

(ii) Salaries for staff members in the General Service and related categories shall be subject to the assessment rates specified in subparagraph (b) (ii) of that regulation.

(b) The transitional measures governing the salary scales and pensionable remuneration are subject to the provisions of staff rule 13.12.

Rule 3.3
Salary increments

(a) Satisfactory service for the purpose of awarding a salary increment shall be defined, unless otherwise decided by the Secretary-General in any particular case, by satisfactory service performance and conduct of staff members in their assignments as evaluated by their supervisors.

(b) Salary and wage increments shall be effective on the first day of the pay period in which the service requirements are completed, provided that the period of service may be shortened to meet the requirements of staff rule 3.4 (b) and that such increments shall not be effective earlier than the first day of the pay period in which a staff member returns to pay status from a period of leave without pay. No increment shall be paid in the case of staff members whose services will cease during the month in which the increment would otherwise have been due.

(c) If a staff member with satisfactory service is changed to a lower salary level, the period of service since the last increment shall be credited towards the next increment within the lower level. If a staff member whose service has not been satisfactory is changed to a lower salary level, the staff member's eligibility for salary increment in the lower level will be based on satisfactory service at the lower level.

Rule 3.4
Salary policy

(a) On appointment, a staff member shall normally be placed at the first step of the level of his or her post, unless otherwise decided by the Secretary-General.

(b) On promotion, a staff member who holds a fixed-term or a continuing appointment shall be placed at the lowest step of the level to which he or she has been promoted that provides an increase in net base salary equal to at least the amount that would have resulted from the granting of two steps at the lower level.

Rule 3.5
Pensionable remuneration

(a) The definition of pensionable remuneration is set out in article 51 of the Regulations of the United Nations Joint Staff Pension Fund.

(b) The pensionable remuneration of staff members in the Field Service category shall be established in the same manner as for staff in the Professional and higher categories.

(c) Where a promotion of a staff member from the General Service and related categories to the Professional category would result in a reduction of the pensionable remuneration used for computing the final average remuneration, the level of pensionable remuneration reached prior to the promotion shall be maintained until it is surpassed by that applicable to the staff member's grade and step in the Professional category. Contributions payable in accordance with article 25 of the Regulations of the United Nations Joint Staff Pension Fund shall be based on either:

(i) The pensionable remuneration of the staff member used to determine such contributions at the time of promotion; or

(ii) The pensionable remuneration applicable to the staff member's grade and step in the Professional category;

whichever is higher.

Rule 3.6
Dependency allowances

Definitions

(a) For the purposes of the Staff Regulations and Rules:

(i) A "dependent spouse" is a spouse whose earnings, if any, do not exceed the lowest entry level of the United Nations General Service gross salary scales in force on 1 January of the year concerned for the duty station in the country of the spouse's place of work. *In the case of staff in the Professional* and higher categories and in the Field Service category, the entry level amount referenced shall not at any duty station be less than the equivalent of the lowest entry level salary at the base of the salary system (G-2, step I, for New York);

(ii) A "child" is any of the following children for whom the staff member provides main and continuing support:

a. A staff member's natural or legally adopted child; or

b. A staff member's stepchild who is residing with the staff member; or

c. A child who cannot be legally adopted, for whom the staff member has legal responsibility and who is residing with the staff member;

(iii) A "dependent child" is a child for whom the staff member provides main and continuing support and who meets one of the following criteria:

a. The child is under the age of 18 years;

b. The child is between the ages of 18 and 21 years and attends university or its equivalent full-time; the requirement of residing with the staff member does not apply in this case;

c. The child is of any age and has a disability that is permanent or for a period that is expected to be long-term that prevents substantial gainful employment;

(iv) A staff member claiming a child as a dependant must certify that he or she provides main and continuous support. This certification must be supported by documentary evidence satisfactory to the Secretary-General, if a child:

a. Does not reside with the staff member;

b. Is married; or

c. Is recognized as a dependant under subparagraph (a) (iii) c. above;

(v) A father, mother, brother or sister of a staff member shall be considered as a secondary dependant if the staff member provides such a person with not less than half of that person's financial resources, and in any case with not less than twice the amount of the dependency allowance. The conditions regarding age, school attendance and disability are the same for a brother or sister as those applicable to a staff member's child in subparagraph (iii) above.

Amount of dependency allowance

(b) The dependency allowances, which are applicable to the different categories of staff, shall be published by the Secretary-General. The dependency allowances shall normally be payable in accordance with the applicable rates, unless otherwise provided by the Secretary-General:

(i) Dependent spouse allowance: a dependent spouse allowance in the amount of 6 per cent of net base salary plus post adjustment shall be paid to a staff member in the Professional and higher categories and in the Field Service category with a recognized dependent spouse, under conditions established by the Secretary-General;

(ii) Single parent allowance: a staff member in the Professional and higher categories and in the Field Service category recognized as a single parent shall receive a single parent allowance in the amount of 6 per cent of net base salary plus post adjustment in respect of the first dependent child, under conditions established by the Secretary-General. A staff member who receives a single parent allowance in respect of the first dependent child shall not be eligible for payment of a child allowance for that child;

(iii) Dependent child allowance: eligible staff members shall receive a dependent child allowance for each recognized dependent child, under conditions established by the Secretary-General. Subject to the provisions of staff regulations 3.5 and 3.6 (a), the full amount of the dependency allowance provided under those regulations and under the Staff Rules in respect of a dependent child shall be payable, except where the staff member or his or her spouse receives a direct governmental grant in respect of the same child. Where such a governmental grant is made, the dependent child allowance or single parent allowance payable under this rule shall be the approximate amount by which the governmental grant is less than the dependent child allowance or

single parent allowance set out under the Staff Regulations and Rules. No dependency allowance is payable if the governmental grant is equal to or exceeds the rate set out under the Staff Regulations and Rules;

(iv) Secondary dependent allowance: a secondary dependency allowance shall be paid in respect of not more than one secondary dependent and such payment shall not be made when a payment is being made for a dependent spouse. Staff members in the General Service and related categories shall receive a dependency allowance with respect to a secondary dependant when local conditions and/or the practices of comparator employers call for the establishment of such an allowance, under conditions established by the Secretary-General.

(c) Staff members shall be responsible for notifying the Secretary-General in writing of claims for dependency allowance and may be required to support such claims by documentary evidence satisfactory to the Secretary-General. Staff members shall be responsible for reporting to the Secretary-General any change in the status of a dependant that may affect the payment of this allowance.

Rule 3.7
Post adjustment and rental subsidy

(a) Post adjustment is an amount paid to staff members serving in the Professional and higher categories and in the Field Service category, in accordance with annex I, paragraph 9, of the Staff Regulations, to ensure equity in purchasing power of staff members across duty stations.

(b) While the salary of a staff member is normally subject to the post adjustment of his or her duty station during assignments for one year or more, alternative arrangements may be made by the Secretary-General under the following circumstances:

(i) When a staff member is assigned to a duty station whose post adjustment classification is lower than that of his or her previous duty station, he or she may continue to receive for up to six months the post adjustment applicable to the previous duty station while at least one member of his or her immediate family (spouse and children) remains at that duty station;

(ii) When a staff member is assigned to a duty station for less than one year, the Secretary-General shall decide at that time whether to apply the post adjustment applicable to the duty station and, if appropriate, to pay a settling-in grant under staff rule 7.14, the mobility incentive under staff rule 3.13 if applicable and hardship allowance and non-family service allowance under staff rules 3.14 and 3.15 or, in lieu of the above, to authorize appropriate subsistence payments;

(iii) When a staff member is assigned to a United Nations field mission for a period of three months or less, the Secretary-General shall decide at that time whether to apply the post adjustment applicable to the duty station and, if appropriate, to pay a settling-in grant under staff rule 7.14, the mobility incentive under staff rule 3.13 if applicable and hardship allowance and non-family service allowance under staff rules 3.14 and 3.15 or, in lieu of the above, to authorize appropriate subsistence payments.

(c) At duty stations where the average rental cost used in calculating the post adjustment index is based on the cost of housing provided by the United Nations, by a Government or by a related institution, eligible staff members who have to rent housing accommodation at substantially higher commercial rates will be paid a

supplement to the post adjustment in the form of a rental subsidy under conditions established by the Secretary-General.

Rule 3.8
Language allowance

(a) A staff member in the General Service, Security Service or Trades and Crafts category, or in the Field Service category up to and including level FS-5, holding a fixed-term or a continuing appointment may be entitled to a pensionable language allowance, under rates and conditions determined by the Secretary-General, provided that he or she has demonstrated proficiency in two United Nations official language as follows:

(i) If the staff member's mother tongue is one of the official languages of the United Nations, he or she must successfully pass the prescribed test in any other official United Nations language, which may be the language in which proficiency is required for the purpose of his or her appointment;

(ii) If the staff member's mother tongue is not one of the official United Nations languages, he or she must successfully pass the prescribed test in any official United Nations language other than the one in which proficiency is required for the purpose of his or her appointment.

(b) A staff member already in receipt of a language allowance under staff rule 3.8 (a) shall be entitled to receive a second such pensionable allowance, equal to half of the amount of the first, provided that he or she has demonstrated proficiency by passing the prescribed test in a third official language.

(c) The language allowance shall be taken into account in determining United Nations Joint Staff Pension Fund, medical and group insurance contributions; overtime and night differential compensation; and payments and indemnities on separation.

Rule 3.9
Education grant

Definitions

(a) For the purposes of the present rule:

(i) "Child" means a child of a staff member who is dependent on the staff member for main and continuing support as defined in staff rule 3.6 (a) (ii) and 3.6 (a) (iii);

(ii) "Child with a disability" means a child who is unable, by reasons of physical or mental disability, to attend a regular educational institution and who requires special teaching or training to prepare him or her for full integration into society or, while attending a regular educational institution, who requires special teaching or training to assist him or her in overcoming the disability;

(iii) "Home country" means the country of home leave of the staff member under staff rule 5.2. If both parents are eligible staff members, "home country" means the country of home leave of either parent;

(iv) "Duty station" means the country, or area within commuting distance notwithstanding national boundaries, where the staff member is serving.

Eligibility

(b) Subject to conditions established by the Secretary-General, a staff member who holds a fixed-term or a continuing appointment shall be entitled to an education grant in respect of each child, provided that:

(i) The staff member is regarded as an international recruit under staff rule 4.5 and resides and serves at a duty station which is outside his or her home country; and

(ii) The child is in full-time attendance at a school, university or similar educational institution.

(c) If a staff member eligible under paragraph (b) above is reassigned to a duty station within his or her home country in the course of a school year, he or she may receive the education grant for the balance of that school year.

Duration

(d) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies or attains a first post-secondary degree, whichever comes first;

(ii) The grant will not normally be payable beyond the school year in which the child reaches the age of 25 years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

Amount of grant

(e) The amount to which a staff member may be entitled under the grant are set out in appendix B to the present Rules.

(f) The amount of the grant to be paid when the staff member's period of service or the child's school attendance does not cover the full school year shall be prorated under conditions to be defined by the Secretary-General. If a staff member in receipt of the education grant dies while in service at the beginning of the school year, the full entitlement for that particular school year shall be granted.

Travel

(g) A staff member to whom boarding assistance is payable under paragraph (ii) or (iii) of appendix B to the present Rules in respect of the child's attendance at an educational institution at the primary or secondary level shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station, under conditions established by the Secretary-General. If travel to the duty station by the child is not possible, return travel by the staff member or spouse may be authorized in lieu of travel by the child, under conditions established by the Secretary-General.

Tuition in the mother tongue

(h) Tuition for teaching in the mother tongue under staff regulation 3.2 (c) may be reimbursed subject to conditions established by the Secretary-General.

Special education grant for a child with a disability

(i) A special education grant for a child with a disability shall be available to staff members in all categories, whether serving in their home country or not, provided that they hold a fixed-term or a continuing appointment. The amount to which a staff member is entitled under the grant is set out in appendix B to the present Rules, under conditions established by the Secretary-General.

Claims

(j) Claims for education grant shall be made in accordance with conditions established by the Secretary-General.

Rule 3.10
Special post allowance

(a) Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of higher level posts.

(b) Without prejudice to the principle that promotion under staff rule 4.15 shall be the normal means of recognizing increased responsibilities and demonstrated ability, a staff member holding a fixed-term or continuing appointment who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable higher level than his or her own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level.

(c) In the case of a staff member holding a fixed-term or continuing appointment who is assigned to serve in a mission, or when a staff member in the General Service category is required to serve in a higher level post in the Professional category, or when a staff member in any category holding a fixed-term or continuing appointment is required to serve in a post which is classified more than one level above his or her level, the allowance may be paid immediately when the staff member assumes the higher duties and responsibilities.

(d) The amount of the special post allowance shall be equivalent to the salary increase (including post adjustment and dependency allowances, if any) which the staff member would have received had the staff member been promoted to the next higher level.

Rule 3.11
Overtime and compensatory time off

(a) A staff member in the General Service, Security Service or Trades and Crafts category, or in the Field Service category up to and including level FS-5, who is required to work in excess of the working week established for this purpose shall be given compensatory time off or may receive additional payment, under conditions established by the Secretary-General.

(b) Should the exigencies of service permit, and subject to the prior approval of the Secretary-General, occasional compensatory time off may be granted to staff members serving in the Professional and higher categories who have been required to work substantial or recurrent periods of overtime.

Rule 3.12
Night differential

(a) A staff member who is assigned to regularly scheduled night-time tours of duty shall receive a night differential at a rate and under conditions established by the Secretary-General.

(b) Unless otherwise specifically prescribed by the Secretary-General, night differential shall not be paid for the same work for which overtime payment or compensatory time off is allowed or for any hours when the staff member is on leave or in travel status.

Rule 3.13
Mobility incentive

(a) A non-pensionable mobility incentive may be paid under conditions established by the Secretary-General to staff members in the Professional and higher categories, in the Field Service category, and to internationally recruited staff in the General Service category pursuant to staff rule 4.5 (c), provided that they:

(i) Hold a fixed-term or continuing appointment; and

(ii) Are on an assignment of one year or more to a new field duty station and are installed at the new duty station; and

(iii) Have served five years or more of continuous service on a fixed-term or continuing appointment in the United Nations common system of salaries and allowances.

The mobility incentive shall be discontinued upon five continuous years at the same duty station. In the exceptional case of staff members who remained at the same duty station for more than five years at the explicit request of the Organization or for compelling humanitarian reasons, the mobility incentive shall be payable for one additional year, but in no case for more than a total of six years.

(b) The amount of the mobility incentive, if any, and the conditions under which it will be paid, shall be determined by the Secretary-General taking into account the length of the staff member's continuous service in the United Nations common system of salaries and allowances, the number of duty stations at which he or she has previously served for a period of one year or longer and the hardship classification of the new duty station to which the staff member is assigned.

Rule 3.14
Hardship allowance

(a) Staff in the Professional and higher categories and in the Field Service category, and staff in the General Service category considered internationally recruited pursuant to staff rule 4.5 (c) who are appointed or reassigned to a new duty station may be paid a non-pensionable hardship allowance.

(b) The amount of this allowance, if any, and the conditions under which it will be paid shall be determined by the Secretary-General taking into account the degree of difficulty of life and work at each duty station as per the classification of duty stations established by the International Civil Service Commission.

Rule 3.15
Non-family service allowance

(a) When a duty station has been designated as non-family, the presence of eligible dependants of the staff member shall not be authorized at the duty station, unless exceptionally approved by the Secretary-General.

(b) Staff in the Professional and higher categories and in the Field Service category and staff in the General Service category considered internationally recruited pursuant to staff rule 4.5 (c) who are appointed or reassigned to a non-family duty station may be paid a non-pensionable non-family service allowance. The amount and conditions under which the allowance will be paid shall be determined by the Secretary-General. In no event shall the allowance be payable if the Secretary-General has exceptionally approved the presence of eligible dependants of the staff member at the duty station pursuant to staff rule 3.15 (a).

Rule 3.16
Salary advances

(a) Salary advances may be made to staff members under the following circumstances and conditions:

(i) Upon departure on extended official travel or on approved leave involving absence from duty for 17 or more calendar days, including the end-month pay day in the amount that would fall due for payment during the anticipated pay period(s) occurring during the staff member's absence;

(ii) In cases where staff members have not received their regular pay, through no fault of their own, in the amount due;

(iii) Upon separation from service, where final settlement of pay accounts cannot be made at the time of departure, subject to the advance not exceeding 80 per cent of the estimated final net payments due;

(iv) In cases where new staff members arrive without sufficient funds, in such amount as the Secretary-General may deem appropriate;

(v) Upon change of official duty station, in such amounts as the Secretary-General may deem appropriate.

(b) The Secretary-General may, in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing, authorize an advance for any reason other than those enumerated above.

(c) Salary advances other than those referred to in subparagraphs (a) (i), (ii) and (iii) above shall be liquidated at a constant rate as determined at the time the advance is authorized, in consecutive pay periods, commencing not later than the period following that in which the advance is made.

Rule 3.17
Retroactivity of payments

A staff member who has not been receiving an allowance, grant or other payment to which he or she is entitled shall not receive retroactively such allowance, grant or payment unless the staff member has made written claim:

(i) In the case of the cancellation or modification of the staff rule governing eligibility, within three months following the date of such cancellation or modification;

(ii) In every other case, within one year following the date on which the staff member would have been entitled to the initial payment.

Rule 3.18
Deductions and contributions

(a) Staff assessment shall be deducted, each pay period, from the total payments due to each staff member, at the rates and subject to the conditions prescribed in staff regulation 3.3 and staff rule 3.2.

(b) Contributions of staff members who are participating in the United Nations Joint Staff Pension Fund shall be deducted, each pay period, from the total payments due to them.

(c) Deductions from salaries and other emoluments may also be made for:

(i) Contributions, other than to the United Nations Joint Staff Pension Fund, for which provision is made under the present Rules;

(ii) Indebtedness to the United Nations;

(iii) Indebtedness to third parties when any deduction for this purpose is authorized by the Secretary-General;

(iv) Lodging provided by the United Nations, by a Government or by a related institution;

(v) Contributions to a staff representative body established pursuant to staff regulation 8.1, provided that each staff member has the opportunity to withhold his or her consent to or at any time to discontinue such deduction, by notice to the Secretary-General.

Rule 3.19
Repatriation grant

Purpose

(a) The purpose of the repatriation grant provided by staff regulation 9.4 is to facilitate the relocation of expatriate staff members to a country other than the country of the last duty station, provided that they meet the conditions contained in annex IV to the Staff Regulations and in this rule.

Definitions

(b) The following definitions shall be used in ascertaining whether the conditions contained in annex IV to the Staff Regulations and this rule are met:

(i) "Country of nationality" shall mean the country of nationality recognized by the Secretary-General;

(ii) "Dependent child" shall mean a child recognized as dependent under staff rule 3.6 (a) (iii) at the time of the staff member's separation from service;

(iii) "Home country" shall mean the country of home leave entitlement under staff rule 5.2 or such other country as the Secretary-General may determine;

(iv) "Obligation to repatriate" shall mean the obligation to return a staff member and his or her spouse and dependent children, upon separation, at the expense of the United Nations, to a place outside the country of the last duty station;

(v) "Qualifying service" shall mean five years or more of continuous service and residence away from the home country and the country of nationality of a staff member, or the country where the staff member has acquired permanent resident status.

Eligibility

(c) Staff members who are considered internationally recruited pursuant to staff rule 4.5 shall be eligible for payment of the repatriation grant in accordance with annex IV to the Staff Regulations provided that they meet the following conditions:

(i) The Organization had the obligation to repatriate the staff member upon separation after qualifying service as defined in staff rule 3.19 (b) (v);

(ii) The staff member resided outside his or her home country and recognized country of nationality while serving at the last duty station;

(iii) The staff member has not been dismissed or separated from service on grounds of abandonment of post;

(iv) The staff member has not been locally recruited under staff rule 4.4;

(v) The staff member does not have permanent resident status in the country of the duty station at the time of separation.

Evidence of relocation

(d) Payment of the repatriation grant after separation of an eligible staff member shall require submission of documentary evidence satisfactory to the Secretary-General that the former staff member has relocated away from the country of the last duty station.

Amount and computation of the grant

(e) The amount of repatriation grant for eligible staff members shall be computed on the basis of annex IV to the Staff Regulations and in accordance with terms and conditions established by the Secretary-General for determining the length of qualifying service for repatriation grant purposes.

(f) When a staff member receives a new appointment in the United Nations common system less than 12 months after separation, the amount of any payment for repatriation grant shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of the separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.

(g) When both spouses are staff members and each is entitled to payment of a repatriation grant on separation from service, the amount of the grant paid to each shall be calculated in accordance with terms and conditions established by the Secretary-General.

Payment in case of the death of an eligible staff member

(h) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children whom the United Nations is obligated to repatriate. If there are one or more such survivors, payment shall be made under terms and conditions established by the Secretary-General.

Time limitation for submission of the claim

(i) Entitlement to the repatriation grant shall cease if no claim has been submitted within two years after the effective date of separation, or under conditions established by the Secretary-General. However, when both spouses are staff members and the spouse who separates first is entitled to the repatriation grant, the claim for payment of the grant by that spouse shall be considered receivable if made within two years of the date of separation of the other spouse.

Rule 3.20
Recruitment incentive

An incentive payment for the recruitment of experts in highly specialized fields in instances in which the Organization was unable to attract suitably qualified personnel may be made under conditions to be prescribed by the Secretary-General. The amount of the recruitment incentive shall not exceed 25 per cent of the annual net base salary for each year of the agreed appointment.

Article IV
Appointment and promotion

Regulation 4.1

As stated in Article 101 of the Charter, the power of appointment of staff members rests with the Secretary-General. Upon appointment, each staff member, including a staff member on secondment from government service, shall receive a letter of appointment in accordance with the provisions of annex II to the present Regulations and signed by the Secretary-General or by an official in the name of the Secretary-General.

Regulation 4.2

The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Regulation 4.3

In accordance with the principles of the Charter, selection of staff members shall be made without distinction as to race, sex or religion. So far as practicable, selection shall be made on a competitive basis.

Regulation 4.4

Subject to the provisions of Article 101, paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations. This consideration shall also apply, on a reciprocal basis, to the specialized agencies brought into relationship with the United Nations. The Secretary-General may limit eligibility to apply for vacant posts to internal candidates, as defined by the Secretary-General. If so, other candidates shall be allowed to apply, under conditions to be defined by the Secretary-General, when no internal candidate meets the requirements of Article 101, paragraph 3, of the Charter as well as the requirements of the post.

Regulation 4.5

(a) Appointment of Under-Secretaries-General and of Assistant Secretaries-General shall normally be for a period of up to five years, subject to prolongation or renewal. Other staff members shall be granted either a temporary, fixed-term or continuing appointment under such terms and conditions consistent with the present Regulations as the Secretary-General may prescribe;

(b) A temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment;

(c) A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service;

(d) The Secretary-General shall prescribe which staff members are eligible for consideration for continuing appointments.

Regulation 4.6

The Secretary-General shall establish appropriate medical standards that staff members shall be required to meet before appointment.

Chapter IV
Appointment and promotion

Rule 4.1
Letter of appointment

The letter of appointment issued to every staff member contains expressly or by reference all the terms and conditions of employment. All contractual entitlements of staff members are strictly limited to those contained expressly or by reference in their letters of appointment.

Rule 4.2
Effective date of appointment

The appointment of a staff member shall take effect from the date on which he or she enters into official travel status to assume his or her duties or, if no official travel is involved, from the date on which the staff member reports for duty.

Rule 4.3
Nationality

(a) In the application of the Staff Regulations and Rules, the United Nations shall not recognize more than one nationality for each staff member.

(b) When a staff member has been legally accorded nationality status by more than one State, the staff member's nationality for the purposes of Staff Regulations and the Staff Rules shall be the nationality of the State with which the staff member is, in the opinion of the Secretary-General, most closely associated.

Rule 4.4
Staff in posts subject to local recruitment

(a) All staff in the General Service and related categories, except as stipulated in staff rule 4.5 (c) below, shall be recruited in the country or within commuting distance of each office, irrespective of their nationality and of the length of time they may have been in the country. The allowances and benefits available to staff members in the General Service and related categories shall be published by the Secretary-General for each duty station.

(b) National Professional Officers shall be of the nationality of the country where the office concerned is located.

(c) A staff member subject to local recruitment under this rule shall not be eligible for the allowances or benefits indicated under staff rule 4.5 (a).

Rule 4.5
Staff in posts subject to international recruitment

(a) Staff members other than those regarded under staff rule 4.4 as having been locally recruited shall be considered as having been internationally recruited. Depending on their type of appointment, the allowances and benefits available to internationally recruited staff members, may include: payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children; relocation shipment; home leave; education grant; and repatriation grant.

(b) Staff recruited locally at a duty station for posts in the Professional and higher categories at that specific duty station are considered internationally recruited

but would generally not be entitled to some or all of the allowances and benefits mentioned in paragraph (a) above as determined by the Secretary-General.

(c) Under special circumstances and conditions determined by the Secretary-General, staff who have been recruited to serve in posts in the General Service and related categories may be considered internationally recruited.

(d) A staff member who has changed his or her residential status in such a way that he or she may, in the opinion of the Secretary-General, be deemed to be a permanent resident of any country other than that of his or her nationality may lose entitlement to home leave, education grant, repatriation grant and payment of travel expenses upon separation for the staff member and his or her spouse and dependent children and relocation shipment, based upon place of home leave, if the Secretary-General considers that the continuation of such entitlement would be contrary to the purposes for which the allowance or benefit was created. Conditions governing entitlement to benefits for internationally recruited staff in the light of residential status shall be set by the Secretary-General as applicable to each duty station.

Rule 4.6
Geographical distribution

Recruitment on as wide a geographical basis as possible, in accordance with the requirements of staff regulation 4.2, shall not apply to posts in the General Service and related categories.

Rule 4.7
Family relationships

(a) An appointment shall not be granted to a person who is the father, mother, son, daughter, brother or sister of a staff member.

(b) The spouse of a staff member may be appointed provided that he or she is fully qualified for the post for which he or she is being considered and that the spouse is not given any preference by virtue of the relationship to the staff member.

(c) A staff member who bears to another staff member any of the relationships specified in paragraphs (a) and (b) above:

(i) Shall not be assigned to serve in a post which is superior or subordinate in the line of authority to the staff member to whom he or she is related;

(ii) Shall not participate in the process of reaching or reviewing an administrative decision affecting the status or entitlements of the staff member to whom he or she is related.

(d) The marriage of one staff member to another shall not affect the contractual status of either spouse, but their entitlements and other benefits shall be modified as provided in the relevant Staff Regulations and Rules. The same modifications shall apply in the case of a staff member whose spouse is a staff member of another organization participating in the United Nations common system of salaries and allowances. Where both spouses are staff members and maintain separate households because they are assigned to different duty stations, the Secretary-General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with any staff regulation or other decision of the General Assembly.

Rule 4.8
Change of official duty station

(a) A change of official duty station shall take place when a staff member is assigned from one duty station to another for a period exceeding six months or when a staff member is transferred for an indefinite period.

(b) A change of official duty station shall take place when a staff member is assigned from a duty station to a United Nations field mission for a period exceeding three months.

(c) Assignment of a staff member from his or her official duty station for a conference shall not constitute a change of official duty station within the meaning of the Staff Rules.

Rule 4.9
Inter-organization movements

(a) Inter-organization movements are defined in and shall be governed by an inter-organization agreement among the organizations applying the United Nations common system of salaries and allowances.

(b) The Secretary-General may allow a staff member to serve in a specialized agency or other intergovernmental organization, provided that such movement in no way diminishes the rights or entitlements of the staff member under his or her letter of appointment with the United Nations.

Rule 4.10
Internal candidates and internal vacancies

For the purpose of staff regulation 4.4, the expression "internal candidates" means staff members recruited under staff rules 4.15 and 4.16. Vacancies for which eligibility to apply is restricted to such internal candidates shall be referred to as "internal vacancies". The conditions under which persons other than internal candidates may apply for vacancies shall be defined by the Secretary-General.

Rule 4.11
Types of appointment

A staff member may be granted a temporary, fixed-term or continuing appointment under staff rules 4.12, 4.13 and 4.14 below.

Rule 4.12
Temporary appointment

(a) A temporary appointment shall be granted for a period of less than one year to meet seasonal or peak workloads and specific short-term requirements, having an expiration date specified in the letter of appointment.

(b) The appointment of a staff member who has served for the maximum period as described in paragraph (a) above may be renewed for up to one additional year when warranted by surge requirements and operational needs related to field operations and special projects with finite mandates under circumstances and conditions established by the Secretary-General.

(c) A temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment.

Rule 4.13
Fixed-term appointment

(a) A fixed-term appointment may be granted for a period of one year or more, up to five years at a time, to persons recruited for service of a prescribed duration, including persons temporarily seconded by national Governments or institutions for service with the United Nations, having an expiration date specified in the letter of appointment.

(b) A fixed-term appointment may be renewed for any period up to five years at a time.

(c) A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service, except as provided under staff rule 4.14 (b).

Rule 4.14
Continuing appointment

(a) A continuing appointment is an open-ended appointment.

(b) Staff members recruited in the Professional category upon successful completion of a competitive examination pursuant to staff rule 4.16 shall be granted a continuing appointment after two years on a fixed-term appointment, subject to satisfactory service.

(c) The Secretary-General shall prescribe the criteria determining staff members' eligibility for consideration for continuing appointments.

Rule 4.15
Senior review bodies and central review bodies

Senior review bodies

(a) Senior review bodies shall be established by the Secretary-General to review and provide advice on recommendations for the selection and managed mobility of senior staff. The Secretary-General shall decide on the membership and shall publish the rules of procedure of the senior review bodies.

Central review bodies

(b) Central review bodies shall be established by the Secretary-General to review and provide advice on recommendations for selection of staff regarding positions of a duration of one year or longer in the Professional category, the Field Service category and the General Service and related categories, except for advice on the appointment of candidates having successfully passed a competitive examination, which shall be given by boards of examiners, in accordance with staff rule 4.16.

(c) Each central review body shall be composed of staff members holding a fixed-term or continuing appointment, whose rank is not below that of the level of the post to which appointment, selection or promotion is contemplated, as follows:

(i) Members selected by the Secretary-General;

(ii) Members selected by the appropriate staff representative body;

(iii) The Assistant Secretary-General for Human Resources Management, or an authorized representative, as an ex officio non-voting member.

(d) Each central review body shall elect its own chair.

(e) The rules of procedure of the central review bodies shall be established and published by the Secretary-General.

(f) Executive heads of separately administered programmes, funds and subsidiary organs of the United Nations to whom the Secretary-General has delegated the authority to appoint, select and promote staff may establish advisory bodies to advise them in the case of staff members recruited specifically for service with those programmes, funds or subsidiary organs. The composition and functions of such advisory bodies shall be generally similar to those of the central review bodies established by the Secretary-General.

Rule 4.16
Competitive examinations

(a) Boards of examiners established by the Secretary-General shall ensure the regularity of the competitive examinations administered in accordance with conditions established by the Secretary-General.

(b) Boards of examiners shall make recommendations to the Secretary-General in respect of the following:

(i) Appointment: appointment to P-1 and P-2 posts that are subject to the system of desirable ranges and to posts in the Professional category requiring special language competence at the United Nations Secretariat shall be made exclusively through competitive examination;

(ii) Recruitment to the Professional category of staff from the General Service and related categories in the United Nations Secretariat: recruitment to the Professional category at the United Nations Secretariat of staff from the General Service and related categories having successfully passed the appropriate competitive examinations shall be made within the limits established by the General Assembly. Such recruitment shall be made exclusively through competitive examination.

(c) Staff members appointed to the Professional category after a competitive examination shall be subject to mandatory reassignment, under conditions established by the Secretary-General.

Rule 4.17
Re-employment

(a) A former staff member who is re-employed under conditions established by the Secretary-General shall be given a new appointment unless he or she is reinstated under staff rule 4.18.

(b) The terms of the new appointment shall be fully applicable without regard to any period of former service. When a staff member is re-employed under the present rule, the service shall not be considered as continuous between the prior and new appointments.

(c) When a staff member receives a new appointment in the United Nations common system of salaries and allowances less than 12 months after separation, the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of the separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.

Rule 4.18
Reinstatement

(a) A former staff member who held a fixed-term or continuing appointment and who is re-employed under a fixed-term or a continuing appointment within 12 months of separation from service may be reinstated if the Secretary-General considers that such reinstatement would be in the interest of the Organization.

(b) On reinstatement the staff member's services shall be considered as having been continuous, and the staff member shall return any monies he or she received on account of separation, including termination indemnity under staff rule 9.8, repatriation grant under staff rule 3.19 and payment for accrued annual leave under staff rule 9.9. The interval between separation and reinstatement shall be charged, to the extent possible, to annual leave, with any further period charged to special leave without pay. The staff member's sick leave credit under staff rule 6.2 at the time of separation shall be re-established; the staff member's participation, if any, in the United Nations Joint Staff Pension Fund shall be governed by the Regulations of the Fund.

(c) If the former staff member is reinstated, it shall be so stipulated in his or her letter of appointment.

Rule 4.19
Medical examination

(a) A staff member may be required from time to time to satisfy the United Nations Medical Director or Medical Officer designated by the United Nations Medical Director, by medical examination, that he or she is free from any ailment likely to impair the health or safety of others.

(b) A staff member may also be required to undergo such medical examinations and receive such inoculations as may be required by the United Nations Medical Director or Medical Officer designated by the United Nations Medical Director before going on or after returning from mission service.

Article V
Annual and special leave

Regulation 5.1

Staff members shall be allowed appropriate annual leave.

Regulation 5.2

Special leave may be authorized by the Secretary-General in exceptional cases.

Regulation 5.3

Eligible staff members shall be granted home leave once in every 24 months. However, the Secretary-General may grant home leave once in every 12 months to eligible staff members in duty stations having the most difficult conditions of life and work under specific conditions, as approved by the General Assembly. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service shall not be eligible for home leave.

Chapter V
Annual and special leave

Rule 5.1
Annual leave

(a) A staff member who holds a temporary appointment shall accrue annual leave while in full pay status at the rate of 1 1/2 days per month, subject to the provisions of staff rule 5.3 (e) unless otherwise provided by the Secretary-General. No leave shall accrue while a staff member is receiving compensation equivalent to salary and allowances under staff rule 6.4.

(b) A staff member who holds a temporary appointment may accumulate and carry forward up to 18 working days of annual leave by 1 April of any year or such other date as the Secretary-General may set for a duty station, subject to staff rule 4.12 (b).

(c) A staff member who holds a fixed-term or a continuing appointment shall accrue annual leave while in full pay status at the rate of 2 1/2 days per month, subject to the provisions of staff rule 5.3 (c). No leave shall accrue while a staff member is receiving compensation equivalent to salary and allowances under staff rule 6.4.

(d) A staff member who holds a fixed-term or a continuing appointment may accumulate and carry forward up to 60 working days of annual leave by 1 April of any year or such other date as the Secretary-General may set for a duty station.

(e) (i) Annual leave may be taken in units of days and half-days;

(ii) Leave may be taken only when authorized. If a staff member is absent from work without authorization, payment of salary and allowances shall cease for the period of unauthorized absence. However, if, in the opinion of the Secretary-General, the absence was caused by reasons beyond the staff member's control and the staff member has accrued annual leave, the absence will be charged to that leave;

(iii) All arrangements as to leave shall be subject to the exigencies of service, which may require that leave be taken by a staff member during a period designated by the Secretary-General. The personal circumstances and preferences of the individual staff member shall, as far as possible, be considered.

(f) A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of 10 working days, provided that his or her service is expected to continue for a period beyond that necessary to accrue the leave so advanced.

Rule 5.2
Home leave

(a) Internationally recruited staff members, as defined under staff rule 4.5 (a) and not excluded from home leave under staff rule 4.5 (b), who are residing and serving outside their home country and who are otherwise eligible shall be entitled once in every 24 months of qualifying service to visit their home country at United Nations expense for the purpose of spending in that country a reasonable period of annual leave. Leave taken for this purpose and under the terms and conditions set forth in this rule shall hereinafter be referred to as home leave.

(b) A staff member shall be eligible for home leave provided that the following conditions are fulfilled:

(i) While performing his or her official duties:

a. The staff member continues to reside in a country other than that of which he or she is a national; or

b. In the case of a staff member who is a native of a non-metropolitan territory of the country of the duty station and who maintained his or her normal residence in such non-metropolitan territory prior to appointment, he or she continues to reside, while performing his or her official duties, outside such territory;

(ii) The staff member's service is expected by the Secretary-General to continue:

a. At least six months beyond the date of his or her return from any proposed home leave; and

b. In the case of the first home leave, at least six months beyond the date on which the staff member will have completed 24 months of qualifying service;

(iii) In the case of home leave following the return from a family visit travel under staff rule 7.1 (a) (vii), normally not less than nine months of continuous service have elapsed since the return from the family visit travel.

(c) Staff members whose eligibility under paragraph (b) above is established at the time of their appointment shall begin to accrue service credit towards home leave from that date. Staff members who become eligible for home leave subsequent to appointment shall begin to accrue such service credits from the effective date of their becoming eligible.

(d) The country of home leave shall be the country of the staff member's recognized nationality, subject to the following terms, conditions and exceptions:

(i) The place of home leave of the staff member within his or her home country shall be, for purposes of travel and transportation entitlements, the place with which the staff member had the closest residential ties during the period of his or her most recent residence in the home country. In exceptional circumstances, a change in the place in the country of home leave may be authorized, under conditions established by the Secretary-General;

(ii) A staff member who has served with another public international organization immediately preceding his or her appointment shall have the place of home leave determined as though his or her entire previous service with the other international organization had been with the United Nations;

(iii) The Secretary-General may authorize:

a. A country other than the country of nationality as the home country, for the purposes of this rule, in exceptional and compelling circumstances. A staff member requesting such authorization will be required to satisfy the Secretary-General that the staff member maintained normal residence in such other country for a prolonged period preceding his or her appointment, that the staff member continues to have close family and personal ties in that country and that the staff member's taking home leave there would not be inconsistent with the purposes and intent of staff regulation 5.3;

b. Home leave travel to a country other than the home country, subject to conditions established by the Secretary-General. In such a case, the travel expenses borne by the United Nations shall not exceed the cost of travel to the home country.

(e) (i) A staff member's home leave shall fall due upon completion of 24 months of qualifying service;

(ii) After falling due, home leave may be taken within 12 months, subject to the exigencies of service.

(f) A staff member may be granted advance home leave, provided that normally not less than 12 months of qualifying service have been completed or that normally not less than 12 months of qualifying service have elapsed since the date of return from his or her last home leave. The granting of advance home leave shall not advance the eligibility for, or the due date of, the next home leave. The granting of advance home leave shall be subject to the conditions for the entitlement being subsequently met. If these conditions are not met, the staff member will be required to reimburse the costs paid by the Organization for the advance travel.

(g) If a staff member delays taking his or her home leave beyond the 12-month period after which it falls due, such delayed leave may be taken without altering the time of his or her next and succeeding home leave entitlements, provided that normally not less than 12 months of qualifying service elapse between the date of the staff member's return from the delayed home leave and the date of his or her next home leave departure.

(h) A staff member may be required to take his or her home leave in conjunction with travel on official business or change of official duty station, due regard being paid to the interests of the staff member and his or her family.

(i) Subject to the conditions specified in chapter VII of the present Rules, a staff member shall be entitled to claim, in respect of authorized travel on home leave, expenses for himself or herself and eligible family members for the outward and return journeys between the official duty station and the place of home leave. A staff member may also claim travel time in respect of authorized travel on home leave.

(j) If both spouses are staff members who are eligible for home leave, and taking into account staff rule 4.7 (d), each staff member shall have the choice either of exercising his or her own home leave entitlement or of accompanying the spouse. A staff member who chooses to accompany his or her spouse shall be granted travel time appropriate to the travel involved. Dependent children whose parents are staff members, each of whom is entitled to home leave, may accompany either parent. The frequency of travel shall not exceed the established periodicity of the home leave both with regard to staff members and to their dependent children, if any.

(k) A staff member travelling on home leave shall be required to spend no less than seven calendar days, exclusive of travel time, in his or her home country. The Secretary-General may request a staff member, on his or her return from home leave, to furnish satisfactory evidence that this requirement has been fully met.

(l) Under terms and conditions established by the Secretary-General, eligible staff members serving at category D and E duty stations that do not fall under the rest and recuperation framework shall be granted home leave once in every 12 months. Staff members shall be eligible for home leave provided that the following conditions are fulfilled:

(i) The staff member's service is expected by the Secretary-General to continue:

a. At least three months beyond the date of his or her return from any proposed home leave; and

b. In the case of the first home leave, at least three months beyond the date on which the staff member will have completed 12 months of qualifying service;

(ii) In the case of home leave following the staff member's return from family visit travel under staff rule 7.1 (a) (vii), normally a period of not less than three months of continuous service has elapsed since the staff member's return from family visit travel.

Rule 5.3
Special leave

(a) (i) Special leave may be granted at the request of a staff member holding a fixed-term or continuing appointment for advanced study or research in the interest of the United Nations, in cases of extended illness, for childcare or for other important reasons for such period of time as the Secretary-General may prescribe;

(ii) Special leave is normally without pay. In exceptional circumstances, special leave with full or partial pay may be granted;

(iii) Subject to conditions established by the Secretary-General, family leave may be granted as follows:

a. As special leave with full pay in the case of adoption of a child;

b. As special leave without pay for a period of up to two years for a staff member who is the mother or father of a newly born or adopted child, with a possibility of extension for up to an additional two years in exceptional circumstances. The right of a staff member to be reabsorbed after the end of such special leave without pay shall be fully protected;

c. As special leave without pay for a reasonable period, including necessary travel time, upon the death of a member of the immediate family of the staff member or in case of serious family emergency.

(b) Special leave shall not be authorized for governmental service in a political office, in a diplomatic or other representational post or for the purpose of performing any functions that are incompatible with the staff member's continued status as an international civil servant. In exceptional circumstances, special leave without pay may be granted to a staff member who is requested by his or her Government to render temporary services involving functions of a technical nature.

(c) Subject to conditions established by the Secretary-General, a staff member who has successfully completed the competitive examination and completed one year of service under a fixed-term appointment or who holds a continuing appointment and who is called upon to serve in the armed forces of the State of which the staff member is a national, whether for training or active duty, may be granted special leave without pay for the duration of such military service, in accordance with terms and conditions set forth in appendix C to the present Rules.

(d) The Secretary-General may authorize special leave without pay for pension purposes to protect the pension benefits of staff who are within 2 years of reaching the applicable qualifying age for an early retirement benefit under article 29 of the Regulations of the United Nations Joint Staff Pension Fund and 25 years of contributory service, or who are over that age and within 2 years of 25 years of contributory service.

(e) Staff members holding a temporary appointment may exceptionally be granted special leave, with full or partial pay or without pay, for compelling reasons for such period as the Secretary-General deems appropriate.

(f) In exceptional cases, the Secretary-General may, at his or her initiative, place a staff member on special leave with full or partial pay or without pay if he or she considers such leave to be in the interest of the Organization.

(g) Continuity of service shall not be considered broken by periods of special leave with or without pay. However, staff members shall not accrue service credits towards sick, annual and home leave, salary increment, seniority, termination indemnity and repatriation grant during periods of special leave with partial pay or without pay exceeding one month. Periods of special leave with partial pay or without pay exceeding one month shall not be counted towards accrued years of service for eligibility requirements for a continuing appointment.

Article VI
Social security

Regulation 6.1

Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that Fund.

Regulation 6.2

The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave, maternity and paternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the United Nations.

Chapter VI
Social security

Rule 6.1
Participation in the United Nations Joint Staff Pension Fund

Staff members whose appointments are for six months or longer or who complete six months of service under shorter appointments without an interruption of more than 30 calendar days shall become participants in the United Nations Joint Staff Pension Fund, provided that participation is not excluded by their letters of appointment.

Rule 6.2
Sick leave

(a) Staff members who are unable to perform their duties by reason of illness or injury or whose attendance at work is prevented by public health requirements will be granted sick leave. All sick leave must be approved on behalf of, and under conditions established by, the Secretary-General.

Maximum entitlement

(b) A staff member's maximum entitlement to sick leave shall be determined by the nature and duration of his or her appointment in accordance with the following provisions:

(i) A staff member who holds a temporary appointment shall be granted sick leave at the rate of two working days per month;

(ii) A staff member who holds a fixed-term appointment and who has completed less than three years of continuous service shall be granted sick leave of up to 3 months on full salary and 3 months on half salary in any period of 12 consecutive months;

(iii) A staff member who holds a continuing appointment, or who holds a fixed-term appointment for three years or who has completed three years or more of continuous service shall be granted sick leave of up to nine months on full salary and nine months on half salary in any period of four consecutive years.

Uncertified sick leave

(c) A staff member may take uncertified sick leave for up to seven working days in an annual cycle starting 1 April of any year or such other day as the Secretary-General may set for a duty station, when incapacitated for the performance of his or her duties by illness or injury. Part or all of this entitlement may be used to attend to family-related emergencies.

Certified sick leave

(d) Sick leave taken by a staff member in excess of the limits set in paragraph (c) above requires approval in accordance with conditions established by the Secretary-General. When those conditions are not met, the absence shall be treated as unauthorized in accordance with staff rule 5.1 (e) (ii).

Sick leave during annual leave

(e) When sickness of more than five working days in any seven-day period occurs while a staff member is on annual leave, including home leave, sick leave may be approved subject to appropriate medical certification.

Obligations of staff members

(f) Staff members shall inform their supervisors as soon as possible of absences due to illness or injury. They shall promptly submit any medical certificate or medical report required under conditions to be specified by the Secretary-General.

(g) A staff member may be required at any time to submit a medical report as to his or her condition or to undergo a medical examination by the United Nations medical services or a medical practitioner designated by the United Nations Medical Director. When, in the opinion of the United Nations Medical Director, a medical condition impairs a staff member's ability to perform his or her functions, the staff member may be directed not to attend the office and requested to seek treatment from a duly qualified medical practitioner. The staff member shall comply promptly with any direction or request under this rule.

(h) A staff member shall immediately notify a United Nations medical officer of any case of contagious disease occurring in his or her household or of any quarantine order affecting the household. In such a case, or in the case of any other condition that may affect the health of others, the United Nations Medical Director shall decide whether the staff member should be excused from attendance at the office. If so, the staff member shall receive full salary and other emoluments for the period of authorized absence.

(i) A staff member shall not, while on sick leave, leave the duty station without the prior approval of the Secretary-General.

Review of decisions relating to sick leave

(j) Where further sick leave is refused or the unused portion of sick leave is withdrawn because the Secretary-General is satisfied that the staff member is able to return to duty and the staff member disputes the decision, the matter shall be referred, at the staff member's request, to an independent practitioner acceptable to both the United Nations Medical Director and the staff member or to a medical board.

(k) The medical board shall be composed of:

(i) A medical practitioner selected by the staff member;

(ii) The United Nations Medical Director or a medical practitioner designated by the United Nations Medical Director; and

(iii) A third medical practitioner, who shall be selected by agreement between the other two members and who shall not be a medical officer of the United Nations.

(l) The cost of an independent practitioner or a medical board mentioned in paragraphs (j) and (k) above shall be borne by the Organization and by the staff member under conditions established by the Secretary-General.

Rule 6.3
Maternity and paternity leave

(a) Subject to conditions established by the Secretary-General, a staff member shall be entitled to maternity leave for a total period of 16 weeks:

(i) The pre-delivery leave shall commence no earlier than six weeks and no later than two weeks prior to the anticipated date of birth upon production of a certificate from a duly qualified medical practitioner or midwife indicating the anticipated date of birth;

(ii) The post-delivery leave shall extend for a period equivalent to the difference between 16 weeks and the actual period of pre-delivery leave, subject to a minimum of 10 weeks;

(iii) The staff member shall receive maternity leave with full pay for the entire duration of her absence under subparagraphs (i) and (ii) above.

(b) Subject to conditions established by the Secretary-General, a staff member shall be entitled to paternity leave in accordance with the following provisions:

(i) The leave shall be granted for a total period of up to four weeks. In the case of internationally recruited staff members serving at a non-family duty station, or in exceptional circumstances as determined by the Secretary-General, leave shall be granted for a total period of up to eight weeks;

(ii) The leave may be taken either continuously or in separate periods during the year following the birth of the child, provided that it is completed during that year and within the duration of the contract;

(iii) The staff member shall receive paternity leave with full pay for the entire duration of his absence.

(c) Sick leave shall not normally be granted for maternity cases except where serious complications arise.

(d) Annual leave shall accrue during the period of maternity or paternity leave.

Rule 6.4
Compensation for death, injury or illness attributable to service

Staff members shall be entitled to compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations, in accordance with the rules set forth in appendix D to the present Rules.

Rule 6.5
Compensation for loss or damage to personal effects attributable to service

Staff members shall be entitled, within the limits and under terms and conditions established by the Secretary-General, to reasonable compensation in the event of loss or damage to their personal effects determined to be directly attributable to the performance of official duties on behalf of the United Nations.

Rule 6.6
Medical insurance

Staff members may be required to participate in a United Nations medical insurance scheme under conditions established by the Secretary-General.

Article VII
Travel and relocation expenses

Regulation 7.1

Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall in appropriate cases pay the travel expenses of staff members, their spouses and dependent children.

Regulation 7.2

Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall in appropriate cases pay relocation shipment for staff members.

Chapter VII
Travel and relocation expenses

Rule 7.1
Official travel of staff members

(a) Subject to conditions established by the Secretary-General, the United Nations shall pay the travel expenses of a staff member under the following circumstances:

(i) On initial appointment, provided that the staff member is considered to have been internationally recruited under staff rule 4.5;

(ii) When required to travel on official business;

(iii) On change of official duty station, as defined in staff rule 4.8;

(iv) On separation from service, as defined by article IX of the Staff Regulations and chapter IX of the Staff Rules, except in cases of abandonment of post, and in accordance with the provisions of paragraph (b) below;

(v) On travel authorized for medical, safety or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses;

(vi) On home leave, in accordance with the provisions of staff rule 5.2;

(vii) On family visit.

(b) Under subparagraph (a) (iv) above, the United Nations shall pay the expenses of a staff member to travel to the place of recruitment. However, if the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service, the United Nations shall pay his or her expenses to travel to the place recognized as his or her home for the purpose of home leave under staff rule 5.2. Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the United Nations shall not exceed the maximum amount that would have been payable for the return of the staff member to the place of recruitment or home leave, as applicable.

(c) The Secretary-General may reject any claim for payment or reimbursement of travel or relocation shipment expenses which are incurred by a staff member in contravention of any provision of the Staff Rules.

Rule 7.2
Official travel of eligible family members

(a) Eligible family members, for the purposes of official travel, shall be deemed to comprise a spouse and those children recognized as dependants under staff rule 3.6 (a) (iii).

(b) The United Nations shall not pay the travel expenses of family members of staff members holding a temporary appointment.

(c) The United Nations shall not install family members in, or pay their travel expenses to, non-family duty stations.

(d) The United Nations shall pay the travel expenses of eligible family members as defined under paragraph (a) above of a staff member holding a fixed-term or continuing appointment, subject to conditions established by the Secretary-General, under the following circumstances:

(i) On appointment of a staff member who is considered to have been internationally recruited, under the provisions of staff rule 4.5, provided that the appointment is for a period of one year or longer and provided that the services of the staff member are expected by the Secretary-General to continue for more than six months beyond the date on which travel of his or her family members commences;

(ii) Following completion by the staff member of one year or more of continuous service, provided that his or her services are expected by the Secretary-General to continue for more than six months beyond the date on which travel of his or her family members commences;

(iii) On change of official duty station, provided that the services of the staff member at the new duty station are expected by the Secretary-General to continue for more than six months beyond the date on which travel of his or her family members commences;

(iv) On separation of a staff member from service, provided that the staff member's appointment was for a period of one year or longer or the staff member had completed not less than one year of continuous service;

(v) On travel authorized for medical, safety or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses;

(vi) On home leave, in accordance with the provisions of staff rule 5.2;

(vii) On travel of the spouse to the duty station, in lieu of the staff member's family visit travel under staff rule 7.1 (a) (vii);

(viii) On travel approved in connection with the education of a staff member's dependent child.

(e) In the case of staff members holding a fixed-term or continuing appointment, the Secretary-General may authorize payment of the travel expenses of a child for one trip, either to the staff member's duty station or to his or her home country, beyond the age at which the dependency status of the child would otherwise cease under the relevant Staff Regulations and Rules, either within one year or upon completion of the child's continuous full-time attendance at a university or its equivalent, when the attendance at the university commenced during the period of recognized dependency status.

(f) Notwithstanding subparagraphs (d) (vi), (vii) and (viii) above, the Secretary-General may also authorize payment of travel expenses for the repatriation of a former spouse of a staff member, provided that the staff member is holding a fixed-term or continuing appointment.

Rule 7.3
Loss of entitlement to return travel expenses

(a) A staff member holding a fixed-term or continuing appointment who resigns before completing one year of service or within six months following the date of his or her return from travel on home leave or family visit, or within three months for a staff member assigned to designated duty stations, shall not be entitled to payment of return travel expenses for himself or herself and family members unless the Secretary-General determines that there are compelling reasons for authorizing such payment.

(b) A staff member holding a temporary appointment who resigns before completing the full term of his or her appointment shall not be entitled to payment of

return travel expenses for himself or herself unless the Secretary-General determines that there are compelling reasons for authorizing such payment.

(c) Entitlement to return travel expenses shall cease if travel has not commenced within two years of the date of separation. However, in accordance with staff rule 4.7 (d), where both spouses are staff members and the spouse who separates first is entitled to return travel expenses, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Rule 7.4
Authorization to travel

Before travel is undertaken, it shall be authorized in writing. In exceptional cases, staff members may be authorized to travel on oral orders, but such oral authorization shall require written confirmation. A staff member shall be responsible for ascertaining that he or she has the proper authorization before commencing travel.

Rule 7.5
Travel expenses

Travel expenses that shall be paid or reimbursed by the United Nations under the relevant provisions of the Staff Rules include:

(i) Transportation expenses;

(ii) Terminal expenses;

(iii) Daily subsistence allowance;

(iv) Miscellaneous expenses.

Rule 7.6
Mode, dates, route and standard of travel

(a) Official travel shall, in all instances, be by a mode, route and standard of travel approved in advance by the Secretary-General.

(b) Travel expenses and other entitlements, including travel time, shall be limited to the amount allowable for a journey by the approved mode, dates, route and standard of travel. Staff members who wish, for reasons of personal preference or convenience, to make travel arrangements that vary from the approved mode, dates, route or standard of travel must obtain permission to do so in advance and assume the responsibility for all changes, including payment of any additional costs thus incurred above the entitlement authorized by the United Nations.

Mode of travel

(c) The normal mode of travel for all official travel shall be by air. An alternative mode of travel may be approved when the Secretary-General determines that its use is in the best interest of the United Nations.

(d) If a staff member or family member travels by a more economical mode of travel than the approved mode, the United Nations shall pay only for the mode of travel actually used.

Official dates of travel

(e) The official departure date is normally the day on which travel must start to allow the traveller to arrive at the place of official business before the commencement of duties. The official return date is normally the day after duties on official business have ended.

Route of travel

(f) The normal route for all official travel shall be the most economical route available, provided that the total additional travel time required for the whole journey does not exceed by four hours or more that required for the most direct route. An alternative route may be approved when the Secretary-General determines that it is in the best interest of the United Nations.

Standard of travel

(g) For all official travel by air, staff members and their eligible family members shall be provided with economy class transportation in accordance with the most economical route available, subject to paragraph (f) above.

(h) Under conditions established by the Secretary-General, staff members and their eligible family members may be granted a standard of travel immediately below first class.

(i) In exceptional cases, a higher standard of travel may be approved by the Secretary-General.

(j) Children, including those under 2 years of age, travelling by air shall be provided with a ticket entitling them to a seat.

(k) For all official travel by train or commercial ground transportation approved under paragraph (c) above, staff members and their eligible family members shall be granted regular first-class travel or an equivalent standard.

(l) For all official water travel approved under paragraph (c) above, staff members and their eligible family members shall be granted a standard of travel to be determined by the Secretary-General, appropriate to the circumstances of the case.

(m) If a staff member or eligible family member travels using a more economical standard than the one approved, the United Nations shall pay only for the standard actually used at the rate paid by the traveller.

Rule 7.7
Travel by motor vehicle

Staff members who are authorized to travel by motor vehicle shall be reimbursed by the United Nations at rates and under conditions established by the Secretary-General.

Rule 7.8
Purchase of tickets

All tickets for official travel of staff members and eligible family members shall be purchased by the United Nations in advance of the actual travel. A staff member may be authorized to purchase his or her own tickets under conditions established by the Secretary-General.

Rule 7.9
Terminal expenses

(a) For all official travel to or from the duty station, a staff member is entitled to payment of terminal expenses at rates and under conditions established by the Secretary-General. Terminal expenses shall be deemed to cover all expenditures for transportation and incidental charges between the airport or other point of arrival or departure and the hotel or other place of dwelling in respect of the staff member and each family member authorized to travel at United Nations expense.

(b) No terminal expenses shall be paid in respect of an intermediate stop that:

(i) Is not authorized;

(ii) Does not involve leaving the terminal;

(iii) Is exclusively for the purpose of making an onward connection on the same day.

Rule 7.10
Daily subsistence allowance

(a) Except as provided in paragraph (g) below, a staff member authorized to travel at United Nations expense shall receive an appropriate daily subsistence allowance in accordance with a schedule of rates established from time to time. Such established rates shall be subject to the provisions of paragraph (d) below and to reductions in cases where lodging or meals are provided free of charge by the United Nations, a Government or a related institution.

(b) Daily subsistence allowance shall comprise the total contribution of the United Nations towards such charges as meals, lodging, gratuities and other such payments made for services rendered.

(c) The Secretary-General may, in exceptional and compelling circumstances, authorize a reasonable increase in the daily subsistence allowance to be paid to a staff member who is required to accompany a senior official and whose official duties while in travel status require that his or her additional living expenses be set at a rate substantially higher than the established rate.

(d) The Secretary-General may establish a special rate for daily subsistence allowance in cases where he or she deems it appropriate, including in the event of staff members being assigned to conferences or other extended periods of duty away from their official duty station.

(e) When the spouse or dependent children of a staff member are authorized to travel at United Nations expense, the staff member shall be paid an additional daily subsistence allowance for each such family member at half the rate applicable to the staff member.

(f) The Secretary-General may establish conditions under which daily subsistence allowance may be paid during sick, annual or special leave taken while on travel status.

(g) No daily subsistence allowance shall be payable in respect of travel on appointment, assignment or repatriation, or in respect of travel on home leave, family visit or education grant, provided that the allowance may be paid for stopovers actually made during such travel under conditions established by the Secretary-General. Where travel at United Nations expense is authorized for medical, safety, security or other reasons under staff rule 7.1 (a) (v) or 7.2 (d) (v), an appropriate amount of daily subsistence allowance may be paid at the discretion of the Secretary-General.

(h) Computation of the daily subsistence allowance payable to a staff member and his or her eligible family members shall be made under conditions established by the Secretary-General.

Rule 7.11
Miscellaneous travel expenses

Necessary additional expenses incurred by a staff member in connection with official business or in the performance of authorized travel shall be reimbursed by the

United Nations after the completion of travel, provided that the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts, which shall normally be required for any expenditures in excess of 30 United States dollars or as established by the Secretary-General. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

(i) Local transportation other than that provided for under staff rule 7.9;

(ii) Telephone and other forms of communication required for official business;

(iii) Space, equipment and services required for official use;

(iv) Transportation or storage of authorized baggage or property used for conducting official business.

Rule 7.12
Travel advances

Staff members authorized to travel shall secure advance funds sufficient to cover all expenses. An advance of 100 per cent of daily subsistence allowance and terminal expenses payable under the Staff Rules may be made on the basis of an estimate and certification.

Rule 7.13
Illness or accident during travel on official business

The United Nations shall pay or reimburse reasonable hospital and medical expenses, insofar as they are not covered by other arrangements, which may be incurred by staff members who become ill or are injured while in travel status on official business.

Rule 7.14
Settling-in grant

Definition and computation of the grant

(a) The settling-in grant is intended to provide staff with a reasonable amount of cash at the beginning of an assignment for costs incurred as a result of the appointment or assignment and is based on the assumption that the main expenses of installation are incurred at the outset of an assignment.

(b) The settling-in grant consists of two portions:

(i) The daily subsistence allowance portion, which shall be equivalent to:

a. Thirty days of daily subsistence allowance at the daily rate applicable under subparagraph (c) (i) below; and

b. Thirty days of daily subsistence allowance at half the daily rate in respect of each accompanying eligible family member for whom travel expenses have been paid by the United Nations under staff rule 7.2 (d) (i)–(iii);

(ii) The lump-sum portion, which is calculated on the basis of one month of the staff member's net base salary and, where appropriate, post adjustment at the duty station of assignment.

(c) (i) The Secretary-General may establish and publish special rates of daily subsistence allowance for the purposes of the settling-in grant for specific categories of staff at various duty stations. Where such special rates have not been established, the daily subsistence allowance rates under staff rule 7.10 shall be used in computing the settling-in grant;

(ii) Under conditions established by the Secretary-General, the limit of 30 days provided in paragraph (b) above may be extended to a maximum of 90 days. The amount of the grant during the extended period shall be up to 60 per cent of the appropriate prevailing rate.

Eligibility

(d) A staff member holding a temporary appointment who travels at United Nations expense pursuant to staff rule 7.1 (a) (i) above shall be paid only the daily subsistence allowance portion of the settling-in grant, for himself or herself only, as specified in subparagraph (b) (i) above.

(e) A staff member holding a fixed-term or continuing appointment who travels at United Nations expense to a duty station for an assignment expected to be for one year or more shall be paid a settling-in grant in accordance with paragraphs (b) and (c) above.

(f) If a change of official duty station or a new appointment involves a return to a place at which the staff member was previously stationed, the full amount of the settling-in grant shall not be payable unless the staff member has been absent from that place for at least one year. In the case of a shorter absence, the amount payable shall normally be that proportion of the full grant that the completed months of absence bear to one year.

Rule 7.15
Excess baggage and unaccompanied shipments

Excess baggage

(a) For the purpose of the Staff Rules, "excess baggage" shall mean any accompanied baggage not carried free of charge by transportation companies.

(b) Staff members travelling by air shall be entitled to reimbursement of the cost of excess baggage for themselves and, for staff members holding fixed-term and continuing appointments, their eligible family members up to a maximum amount established by the Secretary-General.

General provisions on unaccompanied shipments

(c) For the purpose of the Staff Rules, "personal effects and household goods" shall mean effects and goods normally required for personal or household use, excluding animals and power-assisted vehicles.

(d) Unaccompanied shipments shall normally be made in one consignment, and related expenses shall be reimbursed on the basis of the maximum entitlement provided under the present rule for transportation by the most economical means, as determined by the Secretary-General, between the places of departure and destination of the staff member on official travel or his or her family members.

(e) The normal costs of packing, crating and lift vans, cartage, unpacking and uncrating shall be reimbursed for unaccompanied shipments authorized under the present rule, except for shipments under conditions established by the Secretary-General for which the cost of cartage only shall be paid. The costs for the servicing, dismantling, installation or special packing of personal effects and household goods shall not be reimbursed. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Secretary-General, they are directly incidental to the transportation of the consignment.

(f) The weight or volume of unaccompanied shipments of personal effects and household goods for which expenses are borne by the Organization under the present rule shall include packing but exclude crating and lift vans.

Unaccompanied shipments on home leave, family visit or education grant travel

(g) When the authorized travel is by air or land, charges for unaccompanied shipment of personal effects or household goods relating to travel on home leave, family visit or education grant may be reimbursed up to a maximum amount established by the Secretary-General.

Unaccompanied shipments for staff holding a temporary appointment or staff assigned for less than one year

(h) (i) A staff member holding a temporary appointment may be reimbursed for the shipment of personal effects and household goods, up to a maximum of 100 kilograms or 0.62 cubic metres, by the most economical means on appointment and on separation from service;

(ii) A staff member holding a fixed-term or continuing appointment may be reimbursed for the shipment of personal effects and household goods, up to a maximum of 100 kilograms or 0.62 cubic metres, by the most economical means when on assignment for less than one year. Where the assignment is extended for a total period of one year or longer, the staff member shall be paid expenses for an additional shipment of personal effects and household goods up to the maximum entitlement established in paragraph (i) below on the condition that staff member's services are expected to continue for more than six months beyond the proposed date of arrival of the personal effects and household goods in line with staff rule 7.17 (b).

Unaccompanied shipments for staff holding a fixed-term or continuing appointment appointed or assigned for one year or longer

(i) On travel on appointment or assignment for one year or longer or when an assignment is extended for a total period of one year or longer, on transfer to another duty station or on separation from service of a staff member, charges for the shipment of personal effects and household goods by the most economical means may be reimbursed up to a maximum amount established by the Secretary-General.

Additional shipment entitlements for staff serving at designated duty stations

(j) Internationally recruited staff members serving at category D and E duty stations that do not fall under the rest and recuperation framework shall be granted, under conditions established by the Secretary-General, the following special entitlements:

(i) An additional shipment entitlement once a year by the most economical means of up to a maximum amount established by the Secretary-General in respect of the staff member and each eligible family member for whom the Organization has paid travel costs to the duty station;

(ii) An additional shipment entitlement in connection with the birth or adoption of a child up to a maximum amount established by the Secretary-General;

(iii) In addition to the unaccompanied shipment entitlements under the present rule, the cost of transporting a privately owned motor vehicle to one of the duty stations designated for that purpose may be partially reimbursed under conditions established by the Secretary-General.

Conversion of shipment by surface to unaccompanied shipment by air

(k) When the most economical means of shipment is by surface, the entitlement may be converted to unaccompanied shipment by air under conditions established by the Secretary-General.

Rule 7.16
Relocation shipment

Eligibility

(a) An entitlement to relocation shipment for full removal of personal effects and household goods, as defined in staff rule 7.15 (c), shall arise with respect to internationally recruited staff members holding a fixed-term or continuing appointment under the following circumstances and in accordance with conditions established by the Secretary-General:

(i) On initial appointment, provided that the staff member is expected to serve at the new duty station for a period of two years or longer;

(ii) On change of duty station, provided that the staff member is expected to serve at the new duty station for a period of two years or longer;

(iii) On separation from service, provided that the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service, and:

a. Had been granted relocation shipment to the duty station or a prior duty station in the course of a period of uninterrupted service; or

b. Had been recruited at the duty station from which he or she was separating and was repatriating to the place of home leave or other location, in accordance with staff rule 7.1 (b).

(b) When an entitlement to relocation shipment arises under paragraph (a) above, it shall normally be paid in case of service at headquarters duty stations or other duty stations classified in the same category.

(c) No entitlement to relocation shipment shall arise with respect to service at a non-family duty station.

(d) Relocation shipment shall be by the most economical means at rates and under conditions established by the Secretary-General.

Maximum entitlements

(e) (i) Payment by the United Nations of relocation shipment shall be on the basis of maximum entitlements established by the Secretary-General;

(ii) The normal costs of packing, crating and lift vans, cartage, unpacking and uncrating shall be reimbursed. Storage and demurrage charges shall not be reimbursed unless the Secretary-General determines that they are directly incidental to the transportation of the consignment;

(iii) Transportation of personal effects and household goods shall be by the most economical means at rates and under conditions established by the Secretary-General.

(f) Relocation shipment shall be on the basis of shipment from and to the following destinations:

(i) On appointment, from the place of recruitment or the place recognized as the staff member's home for purposes of home leave under staff rule 5.2 to the official duty station;

(ii) Upon separation from service, from the official duty station to any one place to which the staff member is entitled to be returned in accordance with the provisions of staff rule 7.1;

(iii) Relocation shipment from or to a place other than those specified may be authorized under terms and conditions defined by the Secretary-General. No expenses shall be paid for removing a staff member's personal effects and household goods from one residence to another at the same duty station.

Storage of personal effects and household goods

(g) When a staff member entitled to relocation shipment is assigned to a new duty station without an entitlement to relocation shipment or from a duty station to which he or she had an entitlement to relocation shipment under paragraph (a) above or would have had such entitlement on appointment from outside the duty station, the United Nations shall pay the costs of storage of personal effects and household goods, subject to conditions established by the Secretary-General and provided that the staff member is expected to return to the same duty station within five years.

Adjustments to entitlements

(h) Where both spouses are staff members and each is entitled to relocation shipment or unaccompanied shipment under the present rule, and taking into account staff rule 4.7 (d), the maximum entitlement to relocation shipment for both spouses shall be that provided for a staff member with a spouse or dependent child residing at the official duty station.

(i) In cases where, for reasons not attributable to the Organization, the staff member does not complete the period of service in respect of which the United Nations has paid relocation shipment, these costs may be adjusted proportionately and recovery made under conditions established by the Secretary-General.

Lump sum in lieu of relocation shipment

(j) A lump-sum amount may be paid in lieu of the relocation shipment under conditions established by the Secretary-General.

Rule 7.17
Loss of entitlement to unaccompanied shipment or relocation shipment

(a) A staff member who resigns before completing two years of service shall not normally be entitled to payment of relocation shipment under staff rule 7.16.

(b) Entitlement to relocation shipment under staff rule 7.16 (a) shall normally cease if the relocation shipment has not commenced within two years of the date on which the staff member became entitled to relocation shipment or if the staff member's services are not expected to continue for more than six months beyond the proposed date of arrival of the personal effects and household goods.

(c) On separation from service, entitlement to unaccompanied shipment expenses under staff rule 7.15 (h) and (i) or relocation shipment under staff rule 7.16 shall cease if the shipment has not commenced within two years of the date of separation. However, in accordance with staff rule 4.7 (d), where both spouses are staff members and the spouse who separates first is entitled to unaccompanied

shipment or relocation shipment, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Rule 7.18
Transportation of decedents

In the event of the death of a staff member or his or her spouse or dependent child, the United Nations shall pay the expenses for transportation of the body from the official duty station or, in the event of death having occurred while in travel status, from the place of death to a place to which the deceased was entitled to return transportation under staff rule 7.1 or 7.2 under conditions established by the Secretary-General.

Rule 7.19
Insurance

(a) Staff members shall not be reimbursed for the cost of personal accident insurance or insurance of accompanied personal baggage. However, compensation may be paid, under arrangements in force under staff rule 6.5, in respect of loss of or damage to such baggage determined to be directly attributable to the performance of official duties on behalf of the United Nations.

(b) In the case of shipments authorized under staff rule 7.15, except for staff members on home leave, family visit or education grant travel, and of the shipment and storage of personal effects and household goods under staff rule 7.16, insurance coverage will be provided by the Organization up to a maximum amount established by the Secretary-General.

(c) The United Nations shall not be responsible for the loss of or damage to unaccompanied shipments.

Article VIII
Staff relations

Regulation 8.1

(a) The Secretary-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other human resources policies;

(b) Staff representative bodies shall be established and shall be entitled to initiate proposals to the Secretary-General for the purpose set forth in paragraph (a) above. They shall be organized in such a way as to afford equitable representation to all staff members, by means of elections that shall take place at least biennially under electoral regulations drawn up by the respective staff representative body and agreed to by the Secretary-General.

Regulation 8.2

The Secretary-General shall establish joint staff-management machinery at both local and Secretariat-wide levels to advise him or her regarding human resources policies and general questions of staff welfare as provided in regulation 8.1.

Chapter VIII
Staff relations

Rule 8.1
Staff representative bodies and staff representatives

Definitions

(a) The term "staff representative bodies", as used in the present chapter of the Staff Rules, shall be deemed to include staff associations, unions or other corresponding staff representative bodies established in accordance with staff regulation 8.1 (b).

(b) Staff representative bodies may be established for a duty station or for a group of duty stations. Staff members serving in duty stations where no staff representative body exists may seek representation through a staff representative body at another duty station.

(c) Each member of the staff may participate in elections to a staff representative body, and all staff serving at a duty station where a staff representative body exists shall be eligible for election to it, subject to any exceptions as may be provided in the statutes or electoral regulations drawn up by the staff representative body concerned and meeting the requirements of staff regulation 8.1 (b).

(d) Polling officers selected by the staff shall conduct the election of the members of each staff representative body, on the basis of the electoral regulations of the staff representative body concerned, in such a way as to ensure the complete secrecy and fairness of the vote. The polling officers shall also conduct other elections of staff members as required by the Staff Regulations and Rules.

(e) No staff member shall threaten, retaliate against or attempt to retaliate against a staff representative exercising his or her functions under the present chapter.

(f) The staff representative bodies shall be entitled to effective participation, through their duly elected executive committees, in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other human resources policies, and shall be entitled to make proposals to the Secretary-General on behalf of the staff.

(g) In accordance with the principle of freedom of association, staff members may form and join associations, unions or other groupings. However, formal contact and communication on the matters referred to in paragraph (f) above shall be conducted at each duty station through the executive committee of the staff representative body, which shall be the sole and exclusive representative body for such purpose.

(h) General administrative instructions or directives or questions within the scope of paragraph (f) above shall be transmitted in advance, unless emergency situations make it impracticable, to the executive committees of the staff representative bodies concerned for consideration and comment before being placed in effect.

Rule 8.2
Joint staff-management machinery

(a) The joint staff-management machinery provided for in staff regulation 8.2 shall consist of:

(i) Joint advisory committees or corresponding staff-management bodies, at designated duty stations, normally composed of not fewer than three and not

more than seven staff representatives and an equal number of representatives of the Secretary-General;

(ii) A Secretariat-wide joint staff-management body composed of equal numbers of representatives of the staff and representatives of the Secretary-General.

(b) The President of the joint staff-management bodies referred to in paragraph (a) above shall be selected by the Secretary-General from a list proposed by the staff representatives.

(c) Instructions or directives embodying recommendations made by the bodies referred to in paragraph (a) above shall be regarded as having satisfied the requirements of staff rule 8.1 (f) and (h).

(d) The joint staff-management bodies referred to in paragraph (a) above shall establish their own rules and procedures.

(e) The Secretary-General shall designate secretaries of the joint staff-management bodies referred to in paragraph (a) above and shall arrange for such services as may be necessary for their proper functioning.

Article IX
Separation from service

Regulation 9.1

Staff members may resign from service upon giving the Secretary-General the notice required under the terms of their appointment.

Regulation 9.2

Staff members shall not be retained in active service beyond the age of 65 years. The Secretary-General may, in the interest of the Organization, retain staff members in service beyond this age limit in exceptional cases.

Regulation 9.3

(a) The Secretary-General may, giving the reasons therefor, terminate the appointment of a staff member who holds a temporary, fixed-term or continuing appointment in accordance with the terms of his or her appointment or for any of the following reasons:

(i) If the necessities of service require abolition of the post or reduction of the staff;

(ii) If the services of the staff member prove unsatisfactory;

(iii) If the staff member is, for reasons of health, incapacitated for further service;

(iv) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;

(v) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established in the Charter, have precluded his or her appointment;

(vi) In the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned;

(b) In addition, in the case of a staff member holding a continuing appointment, the Secretary-General may terminate the appointment without the consent of the staff member if, in the opinion of the Secretary-General, such action would be in the interest of the good administration of the Organization, to be interpreted principally as a change or termination of a mandate, and in accordance with the standards of the Charter;

(c) If the Secretary-General terminates an appointment, the staff member shall be given such notice and such indemnity payment as may be applicable under the Staff Regulations and Rules. Payments of termination indemnity shall be made by the Secretary-General in accordance with the rates and conditions specified in annex III to the present Regulations;

(d) The Secretary-General may, where the circumstances warrant and he or she considers it justified, pay to a staff member whose appointment has been terminated, provided that the termination is not contested, a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

Regulation 9.4

The Secretary-General shall establish a scheme for the payment of repatriation grants in accordance with the maximum rates and under the conditions specified in annex IV of these Regulations.

Chapter IX
Separation from service

Rule 9.1
Definition of separation

Any of the following shall constitute separation from service:

(i) Resignation;

(ii) Abandonment of post;

(iii) Expiration of appointment;

(iv) Retirement;

(v) Termination of appointment;

(vi) Death.

Rule 9.2
Resignation

(a) A resignation, within the meaning of the Staff Regulations and Rules, is a separation initiated by a staff member.

(b) Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by staff members holding continuing appointments, 30 calendar days' written notice by those holding fixed-term appointments and 15 calendar days' written notice by those holding temporary appointments. The Secretary-General may, however, accept resignations on shorter notice.

(c) The Secretary-General may require the resignation to be submitted in person in order to be acceptable.

Rule 9.3
Abandonment of post

Abandonment of post is a separation initiated by the staff member other than by way of resignation. Separation as a result of abandonment of post shall not be regarded as a termination within the meaning of the Staff Rules.

Rule 9.4
Expiration of appointments

A temporary or fixed-term appointment shall expire automatically and without prior notice on the expiration date specified in the letter of appointment.

Rule 9.5
Retirement

Retirement under article 28 of the United Nations Joint Staff Pension Fund Regulations shall not be regarded as a termination within the meaning of the Staff Regulations and Rules.

Rule 9.6
Termination

Definitions

(a) A termination within the meaning of the Staff Regulations and Rules is a separation from service initiated by the Secretary-General.

(b) Separation as a result of resignation, abandonment of post, expiration of appointment, retirement or death shall not be regarded as a termination within the meaning of the Staff Rules.

Reasons for termination

(c) The Secretary-General may, giving the reasons therefor, terminate the appointment of a staff member who holds a temporary, fixed-term or continuing appointment in accordance with the terms of the appointment or on any of the following grounds:

(i) Abolition of posts or reduction of staff;

(ii) Unsatisfactory service;

(iii) If the staff member is, for reasons of health, incapacitated for further service;

(iv) Disciplinary reasons in accordance with staff rule 10.2 (a) (viii) and (ix);

(v) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established in the Charter of the United Nations, have precluded his or her appointment;

(vi) In the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned.

(d) In addition, in the case of a staff member holding a continuing appointment, the Secretary-General may terminate the appointment without the consent of the staff member if, in the opinion of the Secretary-General, such action would be in the interest of the good administration of the Organization, to be interpreted principally as a change or termination of a mandate, and in accordance with the standards of the Charter.

Termination for abolition of posts and reduction of staff

(e) Except as otherwise expressly provided in paragraph (f) below and staff rule 13.1, if the necessities of service require that appointments of staff members be terminated as a result of the abolition of a post or the reduction of staff, and subject to the availability of suitable posts in which their services can be effectively utilized, provided that due regard shall be given in all cases to relative competence, integrity and length of service, staff members shall be retained in the following order of preference:

(i) Staff members holding continuing appointments;

(ii) Staff members recruited through competitive examinations for a career appointment serving on a two-year fixed-term appointment;

(iii) Staff members holding fixed-term appointments.

When the suitable posts available are subject to the principle of geographical distribution, due regard shall also be given to nationality in the case of staff members with less than five years of service and in the case of staff members who have changed their nationality within the preceding five years.

(f) The provisions of paragraph (e) above insofar as they relate to staff members in the General Service and related categories shall be deemed to have been satisfied if such staff members have received consideration for suitable posts available within their parent organization at their duty stations.

(g) Staff members specifically recruited for service with the United Nations Secretariat or with any programme, fund or subsidiary organ of the United Nations that enjoys a special status in matters of appointment under a resolution of the General Assembly or as a result of an agreement entered by the Secretary-General have no entitlement under this rule for consideration for posts outside the organ for which they were recruited.

Termination for unsatisfactory service

(h) The appointment of a staff member may be terminated for unsatisfactory service under conditions established by the Secretary-General.

Termination for health reasons

(i) The appointment of a staff member who has not attained the normal age of retirement as defined under article 1 (n) of the Regulations of the United Nations Joint Staff Pension Fund but whose physical or mental condition or extended illness renders him or her incapacitated for further service may be terminated after exhaustion of any sick leave entitlement.

Rule 9.7
Notice of termination

(a) A staff member whose continuing appointment is to be terminated shall be given not less than three months' written notice of such termination.

(b) A staff member whose fixed-term appointment is to be terminated shall be given not less than 30 calendar days' written notice of such termination or such written notice as may otherwise be stipulated in his or her letter of appointment.

(c) A staff member whose temporary appointment is to be terminated shall be given not less than 15 calendar days' written notice of such termination or such written notice as may otherwise be stipulated in his or her letter of appointment.

(d) In lieu of the notice period, the Secretary-General may authorize compensation equivalent to salary, applicable post adjustment and allowances corresponding to the relevant notice period at the rate in effect on the last day of service.

(e) No termination notice or compensation in lieu thereof shall be given in case of dismissal.

Rule 9.8
Termination indemnity

(a) Payment of termination indemnity under staff regulation 9.3 and annex III to the Staff Regulations shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i);

(ii) For staff in the Field Service category, on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i), plus language allowance, if any;

(iii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance, if any, less staff assessment, according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone.

(b) Length of service shall be deemed to comprise the total period of a staff member's full-time continuous service on fixed-term or continuing appointments. Continuity of such service shall not be considered as broken by periods of special leave. However, service credits shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

(c) Termination indemnity shall not be paid to any staff member who, upon separation from service, will receive a retirement benefit under article 28 of the Regulations of the United Nations Joint Staff Pension Fund or compensation for total disability under staff rule 6.4.

(d) Upon application of a staff member who is to be separated as a result of an agreed termination of appointment or because of abolition of post or reduction in staff and who is within 2 years of age 55 years and 25 years of contributory service in the United Nations Joint Staff Pension Fund or who is over that age and within 2 years of 25 years of contributory service, the Secretary-General may place such staff member on special leave without pay for pension purposes pursuant to staff rule 5.3 (d) under conditions to be established by the Secretary-General.

(e) The Organization will, on the written request of the staff member prior to being placed on special leave pursuant to the preceding paragraph, pay the pension contribution of the Organization and/or the staff member during the period of special leave. The total amount of these contributions will be deducted from the termination indemnity otherwise payable.

(f) A staff member selecting the option of special leave described in staff rule 9.8 (d) shall sign an undertaking acknowledging that his or her status on special leave is solely for pension purposes and that his or her entitlements and those in respect of any dependants to all other emoluments and benefits under the Staff Regulations and Rules are determined as final as at the date of commencement of such special leave.

Rule 9.9
Commutation of accrued annual leave

(a) If, upon separation from service a staff member has accrued annual leave, he or she shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of 18 working days for staff holding a temporary appointment and up to a maximum of 60 working days for staff holding a fixed-term or continuing appointment, in accordance with staff rules 4.17 (c), 4.18 and 5.1. The payment shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment;

(ii) For staff in the Field Service category, on the basis of the staff member's net base salary plus post adjustment;

(iii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance, if any, less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone.

(b) No payment in commutation of the period of accrued annual leave shall be made to a staff member who is dismissed under staff rule 10.2 (a) (ix) for sexual exploitation or sexual abuse in violation of staff rule 1.2 (e).

Rule 9.10
Restitution of advance annual and sick leave

On separation, a staff member who has taken advance annual or sick leave beyond that which he or she has subsequently accrued shall make restitution for such advance leave by means of a cash refund or an offset against monies due to the staff member from the United Nations, equivalent to the remuneration received, including allowances and other payments, in respect of the advance leave period. The Secretary-General may waive this requirement if in his or her opinion there are exceptional or compelling reasons for doing so.

Rule 9.11
Last day for pay purposes

(a) When a staff member is separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:

(i) In the case of resignation, the date shall be either the date of expiration of the notice period under staff rule 9.2 or such other date as the Secretary-General accepts. A staff member will be expected to perform his or her duties during the period of notice of resignation, except when the resignation takes effect upon the completion of maternity or paternity leave or following sick or special leave. Annual leave will be granted during the period of notice only for brief periods;

(ii) In the case of abandonment of post, the date shall be the date of the decision by the Assistant Secretary-General for Human Resources Management to terminate the appointment or the expiry date specified in the letter of appointment, whichever is earlier;

(iii) In the case of expiration of a temporary or fixed-term appointment, the date shall be the date specified in the letter of appointment;

(iv) In the case of retirement, the date shall be the date approved by the Secretary-General for retirement;

(v) In the case of termination, the date shall be the date provided in the notice of termination;

(vi) In the case of dismissal, the date shall be the date on which the staff member is notified in writing of the decision to dismiss him or her;

(vii) In the case of death, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, unless there is a surviving spouse or dependent child. In that event, the date shall be determined in accordance with the following schedule:

Completed years of service (as defined in staff rule 4.5)	*Months of salary*
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

The months of salary referenced above may be made in a lump sum as soon as the pay accounts and related matters can be closed. Such payment shall be made only to the surviving spouse and dependent children. For staff in the Professional and higher categories, the payment shall be calculated on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i). For staff in the Field Service category, the payment shall be calculated on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i), plus language allowance, if any. For staff in the General Service and related categories, the payment shall be calculated on the basis of the staff member's gross salary, including language allowance, if any, less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone. All other entitlements and accrual of benefits shall cease as at the date of death, except as provided by staff rule 3.9 (f) for payment of education grant when the staff member dies while in service after the beginning of a school year.

(b) When an internationally recruited staff member has an entitlement to return travel under staff rule 7.1 (a) (iv), this shall not affect the determination of the last day for pay purposes in accordance with the provisions of paragraph (a) above. In the case of resignation, expiration of temporary or fixed-term appointment, termination or retirement, the staff member shall be paid, on separation, an additional amount for days of authorized travel estimated on the basis of uninterrupted travel by an approved route, mode and standard of travel from the duty station to the place of entitlement to return travel. Such amount shall be calculated as is done for the commutation of accrued annual leave under staff rule 9.9 above.

Rule 9.12
Certification of service

Any staff member who so requests shall, on leaving the service of the United Nations, be given a statement relating to the nature of his or her duties and the length of service. On the staff member's written request, the statement shall also refer to the quality of his or her work and his or her official conduct.

Article X
Disciplinary measures

Regulation 10.1

(a) The Secretary-General may impose disciplinary measures on staff members who engage in misconduct;

(b) Sexual exploitation and sexual abuse constitute serious misconduct.

Chapter X
Disciplinary measures

Rule 10.1
Misconduct

(a) Failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct.

(b) Where the staff member's failure to comply with his or her obligations or to observe the standards of conduct expected of an international civil servant is determined by the Secretary-General to constitute misconduct, such staff member may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of his or her actions, if such actions are determined to be wilful, reckless or grossly negligent.

(c) The decision to launch an investigation into allegations of misconduct, to institute a disciplinary process and to impose a disciplinary measure shall be within the discretionary authority of the Secretary-General or officials with delegated authority.

Rule 10.2
Disciplinary measures

(a) Disciplinary measures may take one or more of the following forms only:

(i) Written censure;

(ii) Loss of one or more steps in grade;

(iii) Deferment, for a specified period, of eligibility for salary increment;

(iv) Suspension without pay for a specified period;

(v) Fine;

(vi) Deferment, for a specified period, of eligibility for consideration for promotion;

(vii) Demotion with deferment, for a specified period, of eligibility for consideration for promotion;

(viii) Separation from service, with notice or compensation in lieu of notice, notwithstanding staff rule 9.7, and with or without termination indemnity pursuant to paragraph (c) of annex III to the Staff Regulations;

(ix) Dismissal.

(b) Measures other than those listed under staff rule 10.2 (a) shall not be considered to be disciplinary measures within the meaning of the present rule. These include, but are not limited to, the following administrative measures:

(i) Written or oral reprimand;

(ii) Recovery of monies owed to the Organization;

(iii) Administrative leave with full or partial pay or without pay pursuant to staff rule 10.4.

(c) A staff member shall be provided with the opportunity to comment on the facts and circumstances prior to the issuance of a written or oral reprimand pursuant to subparagraph (b) (i) above.

Rule 10.3
Due process in the disciplinary process

(a) The Secretary-General may initiate the disciplinary process where the findings of an investigation indicate that misconduct may have occurred. No disciplinary measure may be imposed on a staff member following the completion of an investigation unless he or she has been notified, in writing, of the formal allegations of misconduct against him or her and has been given the opportunity to respond to those formal allegations. The staff member shall also be informed of the right to seek the assistance of counsel in his or her defence through the Office of Staff Legal Assistance, or from outside counsel at his or her own expense.

(b) Any disciplinary measure imposed on a staff member shall be proportionate to the nature and gravity of his or her misconduct.

(c) A staff member against whom disciplinary or non-disciplinary measures, pursuant to staff rule 10.2, have been imposed following the completion of a disciplinary process may submit an application challenging the imposition of such measures directly to the United Nations Dispute Tribunal, in accordance with chapter XI of the Staff Rules.

(d) An appeal against a judgment of the United Nations Dispute Tribunal by the staff member or by the Secretary-General may be filed with the United Nations Appeals Tribunal in accordance with chapter XI of the Staff Rules.

Rule 10.4
Administrative leave pending investigation and the disciplinary process

(a) A staff member may be placed on administrative leave, subject to conditions specified by the Secretary-General, at any time after an allegation of misconduct and pending the completion of a disciplinary process. Administrative leave may continue until the completion of the disciplinary process.

(b) A staff member placed on administrative leave pursuant to paragraph (a) above shall be given a written statement of the reason(s) for such leave and its probable duration.

(c) Administrative leave shall be with full pay except (i) in cases in which there is probable cause that a staff member has engaged in sexual exploitation and sexual abuse, or (ii) when the Secretary-General decides that exceptional circumstances exist which warrant the placement of a staff member on administrative leave with partial pay or without pay.

(d) Placement on administrative leave shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure. If administrative leave is without pay and either the allegations of misconduct are subsequently not sustained or it is subsequently found that the conduct at issue does not warrant dismissal or separation, any pay withheld shall be restored without delay.

(e) A staff member who has been placed on administrative leave may challenge the decision to place him or her on such leave in accordance with chapter XI of the Staff Rules.

Article XI
Appeals

Regulation 11.1

There shall be a two-tier formal system of administration of justice:

(a) The United Nations Dispute Tribunal shall, under conditions prescribed in its statute and rules, hear and render judgment on an application from a staff member alleging non-compliance with his or her terms of appointment or the contract of employment, including all pertinent regulations and rules;

(b) The United Nations Appeals Tribunal shall, under conditions prescribed in its statute and rules, exercise appellate jurisdiction over an appeal of a judgment rendered by the United Nations Dispute Tribunal submitted by either party.

Chapter XI
Appeals

Rule 11.1
Informal resolution

(a) A staff member who considers that his or her contract of employment or terms of appointment have been violated is encouraged to attempt to have the matter resolved informally. To that end, a staff member who wishes to pursue informal channels should approach the Office of the Ombudsman without delay, without prejudice to the right to pursue the matter formally in accordance with the provisions of the present chapter.

(b) Both the staff member and the Secretary-General may initiate informal resolution, including mediation, of the issues involved at any time before or after the staff member chooses to pursue the matter formally.

(c) The conduct of informal resolution by the Office of the Ombudsman, including mediation, may result in the extension of the deadlines applicable to management evaluation and to the filing of an application with the United Nations Dispute Tribunal, as specified in staff rules 11.2 (c) and (d) and 11.4 (c) below.

(d) An application shall not be receivable by the United Nations Dispute Tribunal if the dispute arising from a contested decision has been resolved by an agreement reached through mediation. However, a staff member may submit an application directly with the Dispute Tribunal to enforce the implementation of an agreement reached through mediation within 90 calendar days of the deadline for implementation as specified in the mediation agreement or, when the mediation agreement is silent on the matter, within 90 calendar days of the thirtieth calendar day from the date on which the agreement was signed.

Rule 11.2
Management evaluation

(a) A staff member wishing to formally contest an administrative decision alleging non-compliance with his or her contract of employment or terms of appointment, including all pertinent regulations and rules pursuant to staff regulation 11.1 (a), shall, as a first step, submit to the Secretary-General in writing a request for a management evaluation of the administrative decision.

(b) A staff member wishing to formally contest an administrative decision taken pursuant to advice obtained from technical bodies, as determined by the Secretary-General, or of a decision taken at Headquarters in New York to impose a disciplinary or non-disciplinary measure pursuant to staff rule 10.2 following the completion of a disciplinary process is not required to request a management evaluation.

(c) A request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received notification of the administrative decision to be contested. This deadline may be extended by the Secretary-General pending efforts for informal resolution conducted by the Office of the Ombudsman, under conditions specified by the Secretary-General.

(d) The Secretary-General's response, reflecting the outcome of the management evaluation, shall be communicated in writing to the staff member within 30 calendar days of receipt of the request for management evaluation if the staff member is stationed in New York, and within 45 calendar days of receipt of the

request for management evaluation if the staff member is stationed outside of New York. The deadline may be extended by the Secretary-General pending efforts for informal resolution by the Office of the Ombudsman, under conditions specified by the Secretary-General.

Rule 11.3
Suspension of action

(a) Neither the submission of a request for a management evaluation nor the filing of an application with the United Nations Dispute Tribunal shall have the effect of suspending the implementation of the contested administrative decision.

(b) However, where a management evaluation of an administrative decision is required:

(i) A staff member may submit an application requesting the United Nations Dispute Tribunal to suspend the implementation of the contested administrative decision until the management evaluation has been completed and the staff member has received notification of the outcome. In accordance with article 2, paragraph 2, of its statute, the Dispute Tribunal may suspend the implementation of a decision where the decision appears prima facie to be unlawful, in cases of particular urgency and where its implementation would cause irreparable damage. The Dispute Tribunal's decision on such an application is not subject to appeal;

(ii) In cases involving separation from service, a staff member may opt to first request the Secretary-General to suspend the implementation of the decision until the management evaluation has been completed and the staff member has received notification of the outcome. The Secretary-General may suspend the implementation of a decision where he or she determines that the contested decision has not yet been implemented, the decision appears prima facie to be unlawful, in cases of particular urgency and where its implementation would cause irreparable damage to the staff member's rights. If the Secretary-General rejects the request, the staff member may then submit a request for suspension of action to the Dispute Tribunal under subparagraph (b) (i) above.

Rule 11.4
United Nations Dispute Tribunal

(a) A staff member may file an application against a contested administrative decision, whether or not it has been amended by any management evaluation, with the United Nations Dispute Tribunal within 90 calendar days from the date on which the staff member received the outcome of the management evaluation or from the date of expiration of the deadline specified under staff rule 11.2 (d), whichever is earlier.

(b) Where a staff member is not required to request a management evaluation, pursuant to staff rule 11.2 (b), he or she may file an application directly with the United Nations Dispute Tribunal within 90 calendar days from the date on which the staff member received notification of the contested administrative decision.

(c) Where mediation has been pursued by either party within the deadline for filing an application with the United Nations Dispute Tribunal specified in staff rule 11.4 (a) or (b) and the mediation is deemed to have failed in accordance with the rules of procedure of the Mediation Division of the Office of the Ombudsman, the staff member may file an application with the Dispute Tribunal within 90 calendar days of the end of the mediation.

(d) A staff member shall have the assistance of counsel through the Office of

her expense, in the presentation of his or her case before the United Nations Dispute Tribunal.

(e) A staff association may request permission from the United Nations Dispute Tribunal to submit a friend-of-the-court brief in relation to an application filed by a staff member.

(f) A staff member who is entitled to appeal the same administrative decision that is the subject of an application brought by another staff member may request permission from the United Nations Dispute Tribunal to intervene in the matter.

(g) In accordance with article 2, paragraph 1, of its statute, the United Nations Dispute Tribunal has jurisdiction over applications filed by staff members:

(i) To appeal an administrative decision that is alleged to not be in compliance with a staff member's contract of employment or terms of appointment, including all pertinent regulations and rules and relevant administrative issuances in force at the time of the alleged non-compliance;

(ii) To appeal an administrative decision imposing a disciplinary measure;

(iii) To enforce the implementation of an agreement reached through mediation.

(h) The competence of the United Nations Dispute Tribunal, as set forth in its statute, includes the authority:

(i) To suspend proceedings in a case at the request of the parties for a time to be specified by it in writing;

(ii) To order, at any time during the proceedings, an interim measure, which is not subject to appeal, to provide temporary relief to either party where the contested decision appears prima facie to be unlawful, in cases of particular urgency, and where its implementation would cause irreparable damage. Such temporary relief may include suspension of the implementation of the contested administrative decision, except in cases of appointment, promotion or termination;

(iii) To refer, at any time during its deliberations, a matter to mediation with the consent of both parties.

Rule 11.5
United Nations Appeals Tribunal

(a) In accordance with article 2, paragraph 1, of its statute, the United Nations Appeals Tribunal shall have jurisdiction over an appeal against a judgment of the United Nations Dispute Tribunal alleging that the Dispute Tribunal has:

(i) Exceeded its jurisdiction or competence;

(ii) Failed to exercise jurisdiction vested in it;

(iii) Erred on a question of law;

(iv) Committed an error in procedure, such as to affect the decision of the case; or

(v) Erred on a question of fact, resulting in a manifestly unreasonable decision.

(b) An appeal may be filed by either party against the judgment of the United Nations Dispute Tribunal within 60 calendar days following receipt of the Dispute Tribunal's judgment. An appeal shall not be receivable by the United Nations Appeals

Tribunal unless the deadline has been met or has been waived or suspended by the Appeals Tribunal.

(c) The filing of an appeal with the United Nations Appeals Tribunal shall have the effect of suspending the execution of a judgment of the United Nations Dispute Tribunal that is contested.

(d) A staff member shall have the assistance of counsel through the Office of Staff Legal Assistance if he or she so wishes, or may obtain outside counsel at his or her expense in the presentation of his or her case before the United Nations Appeals Tribunal.

(e) The competence of the United Nations Appeals Tribunal, as set forth in its statute, includes the authority:

(i) To decide, at its own initiative or at the request of either party, that exceptional circumstances require the proceedings to be closed;

(ii) To order an interim measure to provide temporary relief to either party to prevent irreparable harm and to maintain consistency with the judgment of the United Nations Dispute Tribunal.

Article XII
General provisions

Regulation 12.1

The present Regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members.

Regulation 12.2

Such staff rules and amendments as the Secretary-General may make to implement the present Regulations shall be provisional until the requirements of regulations 12.3 and 12.4 below have been met.

Regulation 12.3

The full text of provisional staff rules and amendments shall be reported annually to the General Assembly. Should the Assembly find that a provisional rule and/or amendment is inconsistent with the intent and purpose of the Regulations, it may direct that the rule and/or amendment be withdrawn or modified.

Regulation 12.4

The provisional rules and amendments reported by the Secretary-General, taking into account such modifications and/or deletions as may be directed by the General Assembly, shall enter into full force and effect on 1 January following the year in which the report is made to the Assembly.

Regulation 12.5

Staff rules shall not give rise to acquired rights within the meaning of regulation 12.1 while they are provisional.

Chapter XII
General provisions

Rule 12.1
Applicability

Staff rules 1.1 to 13.12 are applicable to all staff members appointed by the Secretary-General.

Rule 12.2
Gender of terms

(a) In the text of the Staff Rules, reference to staff members in the masculine gender shall apply to staff members of both sexes, unless it is clearly inappropriate from the context to do so.

(b) In the text of the Staff Rules, reference to the Secretary-General in the masculine gender shall apply to Secretaries-General of both sexes, unless it is clearly inappropriate from the context to do so.

Rule 12.3
Amendments of and exceptions to the Staff Rules

(a) Subject to staff regulations 12.1, 12.2, 12.3, 12.4 and 12.5, the Staff Rules may be amended by the Secretary-General in a manner consistent with the Staff Regulations.

(b) Exceptions to the Staff Rules may be made by the Secretary-General, provided that such exception is not inconsistent with any Staff Regulation or other decision of the General Assembly and provided further that it is agreed to by the staff member directly affected and is, in the opinion of the Secretary-General, not prejudicial to the interests of any other staff member or group of staff members.

Rule 12.4
Effective date and authentic texts of rules

Except as otherwise indicated and subject always to the provisions of staff regulations 12.1, 12.2, 12.4 and 12.5, staff rules 1.1 to 13.13 as published in the present bulletin shall be effective on 1 January 2018. The English and French texts of the Staff Rules are equally authoritative.

Chapter XIII
Transitional measures

Rule 13.1
Permanent appointment

(a) A staff member holding a permanent appointment as at 30 June 2009 or who is granted a permanent appointment under staff rules 13.3 (e) or 13.4 (b) shall retain the appointment until he or she separates from the Organization. Effective 1 July 2009, all permanent appointments shall be governed by the terms and conditions applicable to continuing appointments under the Staff Regulations and the Staff Rules, except as provided under the present rule.

(b) (i) The central review bodies shall review recommendations for the termination of permanent appointments for unsatisfactory service under staff regulation 9.3 (a) (ii) and staff rule 9.6 (c) (ii);

(ii) No termination under staff rule 9.6 (c) (v) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General. The special advisory board shall be composed of a Chairman appointed by the Secretary-General on the nomination of the President of the International Court of Justice and four members appointed by the Secretary-General in agreement with the Staff Council.

(c) Staff regulation 9.3 (b) and staff rule 9.6 (d) do not apply to permanent appointments.

(d) If the necessities of service require abolition of a post or reduction of the staff and subject to the availability of suitable posts for which their services can be effectively utilized, staff members with permanent appointments shall be retained in preference to those on all other types of appointments, provided that due regard shall be given in all cases to relative competence, integrity and length of service. Due regard shall also be given to nationality in the case of staff members with no more than five years of service and in the case of staff members who have changed their nationality within the preceding five years when the suitable posts available are subject to the principle of geographical distribution.

(e) The provisions of paragraph (d) above insofar as they relate to staff members in the General Service and related categories shall be deemed to have been satisfied if such staff members have received consideration for suitable posts available within their parent organization at their duty station.

(f) Staff members specifically recruited for service with the United Nations Secretariat or with any programme, fund or subsidiary organ of the United Nations that enjoys a special status in matters of appointment under a resolution of the General Assembly or as a result of an agreement entered by the Secretary-General have no entitlement under paragraph (e) above for consideration for posts outside the organ for which they were recruited.

Rule 13.2
Indefinite appointment

(a) A staff member holding an indefinite appointment as at 30 June 2009 shall retain the appointment until he or she separates from the Organization. Effective 1 July 2009, the staff member's indefinite appointment shall be governed by the terms and conditions applicable to continuing appointments under the Staff Regulations and the Staff Rules, except as provided under the present rule.

(b) Staff members holding an indefinite appointment may resign by giving 30 days' written notice.

(c) The Secretary-General may at any time terminate the appointment of a staff member who holds an indefinite appointment if in his or her opinion such action would be in the interest of the United Nations. Staff regulation 9.3 (b) and staff rule 9.6 (d) do not apply to indefinite appointments.

Rule 13.3
Probationary appointment

(a) A staff member holding a probationary appointment as at 30 June 2009 shall continue to serve his or her period of probationary service under such appointment, which shall normally be two years. In exceptional circumstances, the period of probationary service may be reduced or extended by not more than one year.

(b) Effective 1 July 2009, probationary appointments shall be governed by the terms and conditions applicable to fixed-term appointments under the Staff Regulations and the Staff Rules, except as provided under the present rule.

(c) Without prejudice to the provisions of staff rule 4.13 (c), the Secretary-General may in appropriate cases reduce or waive the required period of probationary service following an equivalent period of continuous service on a 100-series fixed-term appointment.

(d) The Secretary-General may at any time terminate the appointment of a staff member who holds a probationary appointment if in his or her opinion such action would be in the interest of the United Nations.

(e) If the necessities of service require abolition of a post or reduction of the staff and subject to the availability of suitable posts in which their services can be effectively utilized, staff members with probationary appointments shall be retained in preference to those on fixed-term or indefinite appointments, provided that due regard shall be given in all cases to relative competence, integrity and length of service. Due regard shall also be given to nationality in the case of staff members with no more than five years of service and in the case of staff members who have changed their nationality within the preceding five years when the suitable posts available are subject to the principle of geographical distribution.

(f) At the end of his or her probationary service, a staff member who holds a probationary appointment shall either be granted a permanent appointment or be separated from service.

(g) The central review bodies shall review the suitability for permanent appointment of staff members holding a probationary appointment to ensure that they have fully demonstrated their suitability as international civil servants and have shown that they meet the highest standards of efficiency, competence and integrity established by the Charter of the United Nations. The central review bodies may recommend conversion to permanent appointment, extension of the probationary period for one additional year or separation from service.

Rule 13.4
100-series fixed-term appointment

(a) A staff member holding a 100-series fixed-term appointment as at 30 June 2009 shall continue to serve the period of the appointment until the expiration date specified in his or her letter of appointment, except as provided in staff rule 13.7. Effective 1 July 2009, 100-series appointments shall be governed by the terms and

conditions applicable to fixed-term appointments under the Staff Regulations and the Staff Rules, except as provided under the present rule.

(b) Notwithstanding that a 100-series fixed-term appointment does not carry any expectancy of renewal or of conversion to any other type of appointment, a staff member who has completed five years of continuous service on a 100-series fixed-term appointment on or before 30 June 2009 who has fully met the highest standards of efficiency, competence and integrity and who is under the age of 53 years on the date on which he or she reaches five years of qualifying service will be given every reasonable consideration for a permanent appointment, taking into account all the interests of the Organization.

Rule 13.5
200-series appointment

A staff member holding a 200-series short-term, intermediate or long-term appointment as at 30 June 2009 shall continue to serve the period of the appointment until the expiration date specified in his or her letter of appointment. Effective 1 July 2009, 200-series appointments shall be governed by the terms and conditions applicable to fixed-term appointments under the Staff Regulations and the Staff Rules and under conditions established by the Secretary-General.

Rule 13.6
300-series appointment

A staff member holding a 300-series short-term appointment as at 30 June 2009 shall continue to serve the period of the appointment until the expiration date specified in his or her letter of appointment. Effective 1 July 2009, 300-series short-term appointments shall be governed by the terms and conditions applicable to temporary appointments under the Staff Regulations and the Staff Rules.

Rule 13.7
Mission appointment

Staff members serving as Field Service Officers will be subject to the original conditions of employment applicable to that category of staff until 30 June 2011, including those relating to deployment at short notice to any duty station, subject to conditions established by the Secretary-General.

Rule 13.8
Non-resident allowance

Pursuant to annex I to the Staff Regulations, staff members who were in receipt of a non-resident allowance on 31 August 1983 may continue, while eligible, to receive the non-resident allowance at the rate and in accordance with the provisions in effect at that time.

Rule 13.9
Internal system of justice

The Secretary-General shall establish procedures that will apply to cases pending in the system of the administration of justice on or before 30 June 2009.

Rule 13.10
Repatriation grant

A staff member who was eligible for a repatriation grant under staff rule 3.19 in effect on 30 June 2016, but who is no longer eligible for such grant under the present

staff rule 3.19, shall be paid a repatriation grant in accordance with the schedule set out in annex IV to the Staff Regulations in effect on 30 June 2016 for the number of years of qualifying service accrued as at 30 June 2016.

Rule 13.11
Dependency allowances

(a) A staff member in the Professional and higher categories or in the Field Service category, who is not in receipt of the single parent allowance but was in receipt of the dependent rate of salary in respect of a first dependent child as at 31 December 2016, shall be eligible for a transitional allowance in the amount of 6 per cent of net base salary plus post adjustment in respect of that child, effective 1 January 2017.

(b) While in receipt of the transitional allowance, no concurrent payment of the dependent child allowance under staff regulation 3.6 (a) shall be paid in respect of that child, except where the child qualifies for a special dependency allowance for a disabled child under staff regulation 3.6 (a) (ii).

(c) The amount of the transitional allowance shall be reduced by one percentage point every 12 months thereafter, until the amount of the transitional allowance is equal or less than the amount of the dependent child allowance provided for under staff regulation 3.6 (a), at which time the dependent child allowance shall be payable instead.

(d) The transitional allowance shall be discontinued earlier if the first dependent child in respect of whom the transitional allowance is payable is no longer recognized as a dependent child.

Rule 13.12
Salary scales

(a) The salary levels of staff members in the Professional and higher categories and in the Field Service category that were higher than those at the maximum step of their grade upon conversion to the unified salary scale on 1 January 2017 shall be maintained as a pay protection measure, until such time as the staff member is promoted or separated from service.

(b) Such salaries shall be adjusted for any consolidation of post adjustment to base salaries as approved by the General Assembly. Pensionable remuneration at those steps shall be maintained and shall be adjusted corresponding to those salaries when the pensionable remuneration scale is adjusted.

Rule 13.13
Acquired right to normal retirement age

(a) Staff members have an acquired right to their normal retirement age as defined under article 1 (n) of the Regulations of the United Nations Joint Staff Pension Fund. The normal age of retirement for staff members who became participants in the United Nations Joint Staff Pension Fund prior to 1 January 1990 is 60 years. For staff members whose participation commenced or recommenced between 1 January 1990 and 31 December 2013, the normal age of retirement is 62 years. These staff members may choose to separate from service at their normal age of retirement, or anytime thereafter, before the age of 65.

(b) Staff members who wish to exercise their acquired right as described in staff rule 13.13 (a) above and separate from service at their normal age of retirement or anytime thereafter before the age of 65 shall give written notice of three months if

holding a continuing appointment, or 30 calendar days if holding a fixed-term appointment. The Secretary-General may, however, accept shorter notice.

(c) The mandatory age of separation of a staff member who reaches the age of 60 or 62 on or prior to 31 December 2017 shall not be reset to 65, including if that staff member is exceptionally retained in service beyond the mandatory age of separation of 60 or 62, as applicable, beyond 1 January 2018.

Annexes to the Staff Regulations

Annex I

Salary scales and related provisions

1. The Secretary-General shall establish the salary of the Administrator of the United Nations Development Programme and the salaries of United Nations officials in the Director category and above, in accordance with amounts determined by the General Assembly, subject to the staff assessment plan provided in staff regulation 3.3 and to post adjustments wherever applied. If otherwise eligible, they shall receive the allowances that are available to staff members generally.

2. The Secretary-General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to United Nations officials in the Director category and above to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Secretary-General. Similar additional payments in similar circumstances may be made to heads of offices away from Headquarters. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly.

3. Except as provided in paragraph 6 of the present annex, the salary scales for staff members in the Professional and higher categories shall be as shown in the present annex.

4. Subject to satisfactory service, salary increments within the Professional levels shall be awarded annually, except that any increments above step VII shall be preceded by two years at the previous step.

5. Salary increments at the D-1 level shall be awarded annually, except that any increments above step IV shall be preceded by two years at the previous step. Salary increments at the D-2 level shall be awarded biennially.

6. The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for short-term missions, conference and other short-term service, to consultants, to Field Service personnel and to technical assistance experts.

7. The Secretary-General shall fix the salary scales for staff members in the General Service and related categories, normally on the basis of the best prevailing conditions of employment in the locality of the United Nations Office concerned, provided that the Secretary-General may, where he or she deems it appropriate, establish rules and salary limits for payment of non-resident allowance to General Service staff members recruited from outside the local area. The gross pensionable remuneration of such staff shall be determined in accordance with the methodology specified in article 51 (a) of the Regulations of the United Nations Joint Staff Pension Fund and are shown in the salary scales applicable to such staff.

8. The Secretary-General shall establish rules under which a language allowance may be paid to staff members in the General Service category who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages.

9. In order to preserve equivalent standards of living at different offices, the Secretary-General may adjust the basic salaries set forth in paragraphs 1 and 3 of the present annex by the application of non-pensionable post adjustments based on relative costs of living, standards of living and related factors at the office concerned as compared to New York. Such post adjustments shall not be subject to staff assessment.

10. No salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.

Salary scale for staff in the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment

Effective 1 January 2018[a]

(United States dollars)

Level		*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*
USG	Gross	194 329												
	Net	143 757												
ASG	Gross	176 292												
	Net	131 853												
D-2	Gross	140 984	144 059	147 133	150 223	153 488	156 750	160 011	163 273	166 535	169 795	–	–	–
	Net	108 189	110 341	112 493	114 647	116 802	118 955	121 107	123 260	125 413	127 565	–	–	–
D-1	Gross	126 150	128 851	131 554	134 257	136 951	139 654	142 356	145 053	147 757	150 483	153 347	156 209	159 074
	Net	97 805	99 696	101 588	103 480	105 366	107 258	109 149	111 037	112 930	114 819	116 709	118 598	120 489
P-5	Gross	108 633	110 930	113 230	115 524	117 824	120 119	122 420	124 716	127 013	129 310	131 609	133 903	136 203
	Net	85 543	87 151	88 761	90 367	91 977	93 583	95 194	96 801	98 409	100 017	101 626	103 232	104 842
P-4	Gross	89 253	91 295	93 337	95 379	97 421	99 462	101 636	103 853	106 069	108 284	110 506	112 717	114 936
	Net	71 332	72 884	74 436	75 988	77 540	79 091	80 645	82 197	83 748	85 299	86 854	88 402	89 955
P-3	Gross	73 225	75 114	77 005	78 893	80 784	82 674	84 563	86 457	88 345	90 234	92 128	94 016	95 908
	Net	59 151	60 587	62 024	63 459	64 896	66 332	67 768	69 207	70 642	72 078	73 517	74 952	76 390
P-2	Gross	56 542	58 233	59 922	61 612	63 304	64 996	66 688	68 375	70 067	71 757	73 446	75 139	76 828
	Net	46 472	47 757	49 041	50 325	51 611	52 897	54 183	55 465	56 751	58 035	59 319	60 606	61 889
P-1	Gross	43 792	45 106	46 419	47 734	49 046	50 395	51 829	53 264	54 699	56 134	57 568	59 001	60 437
	Net	36 347	37 438	38 528	39 619	40 708	41 800	42 890	43 981	45 071	46 162	47 252	48 341	49 432

Abbreviations: ASG, Assistant Secretary-General; USG, Under-Secretary-General.

[a] The normal qualifying period for in-grade movement between consecutive steps is one year. The shaded steps in each grade require two years of qualifying service at the preceding step.

Pay protection measures for staff in the Professional and higher categories whose salaries are higher than the maximum salaries on the unified salary scales, with effect from 1 January 2018, showing annual gross salaries and net equivalents after application of staff assessment

Effective 1 January 2018

(United States dollars)

Level		*Pay protection point 1*	*Pay protection point 2*
P-4	Gross	117 154	119 373
	Net	91 508	93 061
P-3	Gross	97 796	99 686
	Net	77 825	79 261
P-2	Gross	78 520	–
	Net	63 175	–
P-1	Gross	61 871	–
	Net	50 522	–

Annex II

Letters of appointment

(a) The letter of appointment shall state:

(i) That the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question and to changes which may be duly made in such regulations and rules from time to time;

(ii) The nature of the appointment;

(iii) The date at which the staff member is required to enter upon his or her duties;

(iv) The period of appointment, the notice required to terminate it and the period of probation, if any;

(v) The category, level, commencing rate of salary and, if increments are allowable, the scale of increments, and the maximum attainable;

(vi) Any special conditions which may be applicable;

(vii) That a temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment;

(viii) That a fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service;

(b) A copy of the Staff Regulations and the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he or she has been acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules;

(c) The letter of appointment of a staff member on secondment from government service signed by the staff member and by or on behalf of the Secretary-General, and relevant supporting documentation of the terms and conditions of secondment agreed to by the Member State and the staff member, shall be evidence of the existence and validity of secondment from government service to the Organization for the period stated in the letter of appointment.

Annex III

Termination indemnity

Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(a) Except as provided in paragraphs (b), (c), (d) and (e) below and in regulation 9.3, the termination indemnity shall be paid in accordance with the following schedule:

	Months of gross salary, less staff assessment, where applicable		
Completed years of service	*Temporary appointments exceeding six months*	*Fixed-term appointments*	*Continuing appointments*
Less than 1	One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay	One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay	Not applicable
1			Not applicable
2			3
3			3
4			4
5			5
6		3	6
7		5	7
8		7	8
9	Not applicable	9	9
10		9.5	9.5
11		10	10
12		10.5	10.5
13		11	11
14		11.5	11.5
15 or more		12	12

(b) A staff member whose appointment is terminated for reasons of health shall receive an indemnity equal to the indemnity provided under paragraph (a) of the present annex reduced by the amount of any disability benefit that the staff member may receive under the Regulations of the United Nations Joint Staff Pension Fund for the number of months to which the indemnity rate corresponds;

(c) A staff member whose appointment is terminated for unsatisfactory service or who for disciplinary reasons is separated from service for misconduct other than by dismissal may be paid, at the discretion of the Secretary-General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of the present annex;

(d) No indemnity payments shall be made to:

(i) A staff member who resigns, except where termination notice has been given and the termination date agreed upon;

(ii) A staff member who has a temporary or a fixed-term appointment that is completed on the expiration date specified in the letter of appointment;

(iii) A staff member who is dismissed;

(iv) A staff member who abandons his or her post;

(v) A staff member who is retired under the Regulations of the United Nations Joint Staff Pension Fund;

(e) Personnel specifically engaged for conference and other short-term service, as consultants or as experts, and staff members who are locally recruited for service in established offices away from Headquarters may be paid termination indemnity if and as provided in their letters of appointment.

Annex IV

Repatriation grant

In principle, the repatriation grant shall be payable to staff members who have completed at least five years of qualifying service, whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General.

Years of qualifying service	*Staff member with a spouse or dependent child at time of separation*	*Staff member with neither a spouse nor dependent child at time of separation*	
		Professional and higher categories	*General Service category*
	Weeks of gross salary, less staff assessment, where applicable		
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

Appendices to the Staff Rules

Appendix A

Pensionable remuneration for staff in the Professional and higher categories and salary scales and pensionable remuneration for staff in the Field Service category

Pensionable remuneration for staff in the Professional and higher categories

Effective 1 February 2017

(United States dollars)

	Steps												
Level	*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*
USG	306 800	–	–	–	–	–	–	–	–	–	–	–	–
ASG	283 568	–	–	–	–	–	–	–	–	–	–	–	–
D-2	230 440	235 793	241 153	246 512	251 865	257 223	262 579	267 936	273 291	278 646	–	–	–
D-1	204 989	209 526	214 319	218 715	223 110	227 496	231 891	236 503	241 214	245 923	250 624	254 868	259 399
P-5	178 340	182 076	185 812	189 555	193 290	197 028	200 763	204 505	208 241	211 979	215 717	219 464	223 471
P-4	145 573	149 176	152 770	156 367	159 973	163 567	167 167	170 770	174 365	177 961	181 557	185 168	188 761
P-3	119 643	122 701	125 754	128 803	131 861	134 912	137 966	141 024	144 220	147 561	150 899	154 236	157 576
P-2	92 695	95 427	98 155	100 893	103 619	106 352	109 084	111 814	114 545	117 274	120 008	122 740	125 467
P-1	71 176	73 494	75 813	78 130	80 449	82 767	85 086	87 404	89 722	92 041	94 358	96 677	98 995

Abbreviations: ASG, Assistant Secretary-General; USG, Under-Secretary-General.

Salary scale for staff in the Field Service category, showing annual gross salaries and net equivalents after application of staff assessment

Effective 1 January 2018

(United States dollars)

Level		*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*
									*	*	*	*	*	*
FS-7	Gross	88 707	90 863	93 017	95 161	97 312	99 462	101 754	104 084	106 423	108 757	111 093	113 431	115 770
	Net	70 917	72 556	74 193	75 822	77 457	79 091	80 728	82 359	83 996	85 630	87 265	88 902	90 539
									*	*	*	*	*	*
FS-6	Gross	73 713	75 688	77 671	79 645	81 620	83 596	85 576	87 562	89 534	91 512	93 492	95 468	97 443
	Net	59 522	61 023	62 530	64 030	65 531	67 033	68 538	70 047	71 546	73 049	74 554	76 056	77 557
									*	*	*	*	*	*
FS-5	Gross	63 338	65 022	66 711	68 395	70 086	71 774	73 463	75 149	76 841	78 528	80 214	81 904	83 587
	Net	51 637	52 917	54 200	55 480	56 765	58 048	59 332	60 613	61 899	63 181	64 463	65 747	67 026
									*	*	*	*	*	*
FS-4	Gross	55 451	56 859	58 259	59 657	61 059	62 458	63 857	65 262	66 661	68 063	69 464	70 820	72 266
	Net	45 643	46 713	47 777	48 839	49 905	50 968	52 031	53 099	54 162	55 228	56 293	57 323	58 422
									*	*	*	*	*	*
FS-3	Gross	48 684	49 781	50 947	52 137	53 326	54 522	55 711	56 903	58 097	59 280	60 472	61 666	62 861
	Net	40 408	41 318	42 220	43 124	44 028	44 937	45 840	46 746	47 654	48 553	49 459	50 366	51 274
									*	*	*	*	*	*
FS-2	Gross	43 254	44 218	45 184	46 146	47 111	48 072	48 995	50 001	51 055	52 107	53 158	54 207	55 257
	Net	35 901	36 701	37 503	38 301	39 102	39 900	40 666	41 501	42 302	43 101	43 900	44 697	45 495
									*	*	*	*	*	*
FS-1	Gross	38 506	39 354	40 199	41 046	41 892	42 745	43 592	44 435	45 284	46 130	46 976	47 820	48 666
	Net	31 960	32 664	33 365	34 068	34 770	35 478	36 181	36 881	37 586	38 288	38 990	39 691	40 393

* The normal qualifying period for in-grade movement between consecutive steps is one year up to step VII, starting with step VIII, a two-year period at the preceding step is required.

Pay protection measures for staff in the Field Service category whose salaries are higher than the maximum salaries on the base/floor salary scales, with effect from 1 January 2018, showing annual gross salaries and net equivalents after application of staff assessment

Effective 1 January 2018

(United States dollars)

Level		*Pay protection measure 1*	*Pay protection measure 2*
FS-4	Gross	73 666	75 064
	Net	59 486	60 549
FS-3	Gross	64 050	65 239
	Net	52 178	53 082

Pensionable remuneration for staff in the Field Service category

Effective 1 February 2017

(United States dollars)

	Steps												
Level	*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*
FS-7	144 773	148 576	152 381	156 178	159 982	163 567	167 594	171 393	175 197	178 999	182 803	186 610	190 410
FS-6	120 434	123 629	126 831	130 019	133 216	136 414	139 603	142 834	146 320	149 815	153 311	156 798	159 665
FS-5	103 676	106 396	109 125	111 852	114 581	117 303	120 033	122 757	125 488	128 214	130 941	133 664	136 392
FS-4	90 942	93 208	95 469	97 732	99 993	102 257	104 519	106 786	109 045	111 309	113 572	115 759	118 096
FS-3	79 808	81 737	83 662	85 587	87 505	89 434	91 361	93 280	95 208	97 121	99 048	100 973	102 904
FS-2	70 313	71 930	73 636	75 333	77 033	78 731	80 357	82 130	83 830	85 535	87 232	88 931	90 609
FS-1	62 587	63 967	65 345	66 717	68 092	69 476	70 855	72 316	73 811	75 300	76 573	77 975	79 378

Pensionable remuneration for staff members subject to pay protection measures*

Effective 1 February 2017

(United States dollars)

Level	*Pay protection measure 1*	*Pay protection measure 2*
P-4	192 360	195 961
P-3	160 913	164 252
P-2	128 200	–
P-1	100 060	–
FS-4	120 360	122 622
FS-3	104 823	106 752

* See ST/IC/2017/3 for more details on the pay protection measures.

Appendix B

Education grant entitlements

Admissible expenses

(i) Admissible expenses shall include tuition, tuition in the mother tongue and enrolment-related fees. Non-reimbursable capital assessment fees shall be reimbursed outside the education grant scheme, under conditions established by the Secretary-General. Admissible expenses actually incurred shall be reimbursed at the rates indicated in the sliding scale below.

Education grant entitlements in effect as of the school year in progress on 1 January 2018

Claim amount bracket (United States dollars)	*Reimbursement rate (percentage)*
0–11 600	86
11 601–17 400	81
17 401–23 200	76
23 201–29 000	71
29 001–34 800	66
34 801–40 600	61
40 601 and above	–

(ii) In addition to the reimbursement of admissible expenses, a lump-sum amount of $5,000 shall be paid to staff members serving in duty stations with a hardship classification of "A" to "E" whose child is boarding to attend school at the primary or secondary level outside the staff member's duty station. In exceptional cases and at the discretion of the Secretary-General, the lump-sum boarding assistance may be granted to a staff member at a headquarters duty station in respect of a child boarding to attend school at the primary and secondary levels outside the duty station.

(iii) The lump-sum amount for boarding assistance shall also be payable to a staff member serving at a duty station with a hardship classification of "A" to "E" whose child is boarding to attend school at the primary or secondary level when the educational institution is located beyond commuting distance from the area where the staff member is serving and, in the opinion of the Secretary-General, no school in that area would be suitable for the child.

Special education grant

(iv) Under conditions established by the Secretary-General, admissible expenses for a child with a disability shall include those educational expenses required to provide an educational programme designed to meet the needs of the child so that he or she may attain the highest level of functional ability. The amount of the grant for each child with a disability shall be 100 per cent of the admissible expenses actually incurred, subject to a maximum reimbursement equal to the upper limit of the top bracket of the sliding scale in paragraph (i) above.

(v) When boarding is provided, the actual expenses shall be included in the calculation of the admissible expenses, subject to a maximum reimbursement equal to the upper limit of the top bracket of the sliding scale in paragraph (i) above plus the amount of 5,000 United States dollars, equivalent to the lump sum for boarding assistance.

Appendix C

Arrangements relating to military service

(a) In accordance with section 18 (c) of the Convention on Privileges and Immunities of the United Nations, staff members who are nationals of those Member States which have acceded to that Convention shall be "immune from national service obligations" in the armed services of the country of their nationality.

(b) Any requests to Governments which have not acceded to the Convention to defer or exempt staff members from military service by reason of their employment with the United Nations shall be made by the Secretary-General and not by the staff member concerned.

(c) Staff members who have successfully passed a competitive examination and have completed one year of satisfactory service under a fixed-term appointment or who have a continuing appointment may, if called by a Member Government for military service, whether for training or active duty, be placed on special leave without pay for the duration of their required military service. Other staff members, if called for military service, shall be separated from the Secretariat according to the terms of their appointments.

(d) A staff member called for military service who is placed on special leave without pay shall have the terms of appointment maintained as they were on the last day of service before the staff member went on leave without pay. The staff member's re-employment in the Secretariat shall be guaranteed, subject only to the normal rules governing necessary reductions in force or abolition of posts.

(e) In the interpretation of staff rule 9.6 (e) the period of special leave without pay for military service shall be counted for the purpose of establishing seniority.

(f) A staff member on special leave without pay for military service shall be required to advise the Secretary-General within 90 days after release from military service if the staff member wishes to be restored to active duty with the Secretariat. The staff member shall also be required to submit a certificate of completion of military service.

(g) If a staff member, after the period of required military service, elects to continue such service or if the staff member fails to obtain a certified release therefrom, the Secretary-General will determine, on the merits of the particular case, whether further special leave without pay will be granted and whether re employment rights shall be maintained.

(h) If the staff member's absence on special leave without pay appears likely to last six months or more, the United Nations will pay, if so requested, for transporting the staff member's spouse and dependent children to the staff member's place of entitlement and for their return travel after the staff member's return to active duty with the Secretariat, provided that the expenses involved will be counted as travel expenses related to the next home leave entitlement of the staff member.

(i) The United Nations shall not continue its contribution to the United Nations Joint Staff Pension Fund on behalf of the staff member during the staff member's absence on special leave without pay for military service.

(j) The provisions of staff rule 6.4 relating to death, injury or illness attributable to the performance of official duties on behalf of the United Nations shall not be applicable during periods of military service.

(k) The Secretary-General may, if the circumstances of the military service appear to warrant it, credit the staff member's period on special leave without pay for military service in fixing the salary step upon the staff member's return to active duty with the Secretariat.

(l) The Secretary-General may apply such of the foregoing provisions as are appropriate in the case of a staff member who, with the advance approval of the Secretary-General, volunteers for military service or requests a waiver of immunity under section 18 (c) of the Convention on Privileges and Immunities of the United Nations.

Appendix D

Rules governing compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations

Section I
Scope and general provisions

Article 1.1
Purpose and scope

The present rules provide for compensation for death, injury or illness attributable to the performance of official duties on behalf of the United Nations, as set out below. Compensation shall be provided solely to staff members and their dependants, in accordance with the terms and conditions contained in the present rules.

Article 1.2
Exclusiveness of remedy; non-assignment

Compensation or other forms of recourse provided under the present rules constitute the sole remedy for service-incurred death, injury or illness. The United Nations will not accept, consider or provide compensation or benefits for service-incurred death, injury or illness except under the present rules. Except as set forth below, compensation and rights shall not be assignable to third parties.

Article 1.3
Terminology

The following terminology applies for the purposes of the present rules:

(a) Claimant: the staff member or dependant, as defined below, bringing a claim under these rules.

(b) Dependant: the spouse, dependent child, or secondary dependant as set forth in the Staff Rules. Compensation payable on the basis of or benefit payable to a dependent child or secondary dependent sibling ceases on the day the dependent child or secondary dependent sibling reaches the age of 18, or 21 if he or she is attending university or its equivalent full-time. This restriction does not apply where and as long as the dependent child or secondary dependent sibling has a disability that is permanent or for a period that is expected to be long-term that prevents gainful employment.

(c) Minor: an individual under the age of 18, or the age of majority under the laws of the country of residence of such individual, if the age of majority in the individual's country of residency is less than 18 years of age.

(d) Illness: a deterioration in health as confirmed by a physician authorized to practise medicine by a competent authority.

(e) Injury: a physiological impairment as confirmed by a physician authorized to practise medicine by a competent authority.

(f) Incident: an event causing the death, injury or illness underlying a claim.

(g) Commute or commuting: travel by reasonable means of transportation and on a direct route, by time or distance, between place of work and residence. A direct route is deemed to commence upon departure from, or be terminated on arrival at,

United Nations premises or the property line at the designated place of work or the property line of the staff member's place of residence, such residence including yards, lawns, driveways, garages, stairways, entrances, elevators, basements, hallways or common areas, without deliberate deviation from such route.

(h) Reasonable means of transportation: a generally accepted means of transportation under the circumstances. Transportation by a particularly hazardous means is not considered a reasonable means of transportation for the purposes of the present rules.

(i) Service-incurred death, injury or illness: a death, injury or illness where the death, injury or illness is directly attributable to the performance of official duties on behalf of the United Nations under the terms and conditions set out in the present rules.

(j) Pensionable remuneration: the definition of pensionable remuneration is set out in article 51 of the Regulations of the United Nations Joint Staff Pension Fund. If the staff member was not a participant in the Fund at the date of his or her death, injury or illness, remuneration shall be that which, had the staff member been a participant, would have been considered his or her pensionable remuneration at that date.

(k) Last pensionable remuneration: the pensionable remuneration at the time of (i) the incident, in the case of permanent disfigurement or permanent loss of function; (ii) the separation from service, in the case of total disability; or (iii) the date of death, in the case of death. If the staff member was not a participant in the United Nations Joint Staff Pension Fund at the date of the staff member's death, injury or illness, the remuneration shall be that which, had the staff member been a participant, would have been considered his or her pensionable remuneration at that date.

(l) United Nations Joint Staff Pension Fund benefits: the definition of Fund benefits is set out in article 3.7 below, on the relation to benefits under the United Nations Joint Staff Pension Fund.

(m) Lump sum: a one-time payment of compensation.

(n) Pre-existing medical condition: an illness, injury or impairment that exists prior to the incident resulting in the service-incurred death, injury or illness.

(o) Total disability: incapacity for further work reasonably compatible with the claimant's abilities, in which such incapacity is due to a service-incurred injury or illness that is likely to be long-term or permanent. The resulting incapacity must have a significant adverse impact on the claimant's actual earnings, as determined by the Secretary-General under the Staff Rules. A determination of total disability under the Staff Rules shall be independent of a finding of disability under the Regulations of the United Nations Joint Staff Pension Fund.

Article 1.4
Advisory Board on Compensation Claims

(a) The Secretary-General has established the Advisory Board on Compensation Claims to consider claims for compensation arising from a service-incurred death, injury or illness and to make recommendations thereon to the Secretary-General.

(b) The Board may adopt procedures as it considers necessary for discharging its functions under the present article, provided that, in cases of conflict, the present rules prevail.

(c) Composition of the Board:

(i) Voting members:

a. Three representatives of the Administration appointed by the Secretary-General;

b. Three representatives of the staff appointed by the Secretary-General on the recommendation of the staff representative bodies;

(ii) Ex officio members:

a. Representatives from the Office of Legal Affairs and the Medical Services Division of the Secretariat may be appointed by the Secretary-General to serve as ex officio representatives. Representatives from the United Nations Joint Staff Pension Fund may be appointed by the Chief Executive Officer of the Fund to serve as ex officio representatives;

b. Such ex officio representatives shall serve in an advisory capacity to the Board to provide guidance to the Board with respect to the interpretation of the rules and issues relevant to their offices.

Article 1.5
Secretary of the Advisory Board on Compensation Claims

(a) The Secretary of the Advisory Board on Compensation Claims shall be designated by the Secretary-General or other authorized official. The Secretary may not, at the same time, be a member of the Board.

(b) The Secretary of the Board is responsible for preparing claims submitted under the present rules for consideration by the Board or the official with delegated authority to consider *de minimis* claims, as set forth in article 1.6 below. In discharging his or her functions and responsibilities under these rules, the Secretary will seek to obtain sufficient and relevant documentary evidence from appropriate sources.

Article 1.6
***De minimis* claims**

If it is determined that: (a) the potential cumulative cost to the United Nations of a claim is less than an amount determined by the Secretary-General or officials with delegated authority; and (b) the claim is solely for reimbursement of medical expenses, funeral expenses, compensation for permanent disfigurement or loss of function, or granting of sick leave credit, the official with delegated authority to consider such *de minimis* claims may make determinations on the compensability of a claim, without the consideration of the Advisory Board on Compensation Claims. If the official with delegated authority to consider *de minimis* claims makes a determination on a claim, and the claim later exceeds the amount for *de minimis* claims, the claim shall be presented to the Board for new consideration.

Article 1.7
Role of the Medical Services Division

(a) The Medical Services Division shall make a medical determination for consideration by the Advisory Board on Compensation Claims or the official with delegated authority to consider *de minimis* claims. Such a determination may include:

(i) Whether a death, injury or illness is directly causatively related to an incident;

(ii) Whether a death, injury or illness is directly causatively related to the performance of official duties;

(iii) Whether treatment or services are directly related to a service-incurred injury or illness;

(iv) Whether treatment or services are reasonably necessary for the treatment of such an injury or illness;

(v) Whether medical expenses are at a reasonable cost for the treatment or services provided;

(vi) Whether absence from work is directly related to a service-incurred injury or illness;

(vii) Whether a claimant has reached maximum medical improvement, in order to assess a permanent loss of function;

(viii) Permanent disfigurement or loss of function;

(ix) Total disability.

(b) In accordance with staff rule 6.2 (g), a staff member may be required to undergo a medical examination by a medical practitioner designated by the United Nations Medical Director, with the cost to be borne by the Organization, in order to clarify findings or to further assess the claim in connection with any of the determinations made pursuant to the present article. A staff member may also be required to provide further information in connection with any of the determinations made pursuant to the present article.

Article 1.8
General obligations of claimant

(a) The claimant must provide the evidence necessary to fully support a claim for compensation in accordance with these rules.

(b) The claimant must fully and promptly comply with any request by the United Nations in connection with a claim, or the recovery of payments from third parties pursuant to section IV of the present rules.

(c) In accordance with article 3.8 below, the claimant must inform the Advisory Board on Compensation Claims of any compensation under governmental, institutional, industrial or other workers' compensation schemes or insurance for which the claimant may be eligible in connection with the death, injury or illness underlying a claim.

(d) The claimant must inform the Secretary of the Board of any changes relevant to a claim, including any changes in medical condition.

(e) The claimant shall provide, as requested, periodic attestation of continued eligibility to receive periodic compensation under the present rules.

Article 1.9
Fraud, misrepresentation and omission of material fact

(a) If a claimant makes a submission or a claim that is fraudulent, contains a material misrepresentation or omits a material fact, all claims related to the incident by that claimant shall be denied, all compensation or benefits payable to the claimant in relation to the claim shall be terminated and all payments made in relation to the claim shall be subject to recovery.

(b) When made by staff members, such claims may constitute misconduct under chapter X of the Staff Rules, and may result in disciplinary measures.

Section II
Requirements and conditions for coverage

Article 2.1
Procedural requirement for the filing of a claim

Notice

(a) As soon as practicable after the incident, a claimant should submit to the relevant human resources or executive or administrative officer in writing the following information:

(i) The staff member's and claimant's name, addresses and staff identification number;

(ii) The date of death or of the onset or diagnosis of an injury or illness;

(iii) A description of the incident, including its date, time and location.

Claim

(b) Within one year of the relevant date, as established below in article 2.1 (c), a claimant shall submit a signed Advisory Board on Compensation Claims claim form, together with the following information, as applicable:

(i) For claims involving injury or illness: a. a description of the injury or illness; b. a description of the relation of the injury or illness to the incident; c. a diagnosis; and d. a prognosis. Such information must be provided in writing by the staff member's physician. The claimant must also submit the results of all relevant medical tests;

(ii) For claims for reimbursement of medical expenses: a. a completed Advisory Board on Compensation Claims medical expense form; b. all related medical bills; and c. proof of payment of such bills.

All required forms and supporting documentation may be submitted through a national mail service provider, other international courier service or electronically by e-mail or by other designated tool and are deemed received only upon actual receipt.

Effective dates

(c) The time limitations for submission of the required forms and supporting documentation above will be determined on the basis of the following:

(i) Injury or illness: the date of the incident shall be either the event or the period over which an exposure occurred. It shall be the date of the incident for cases where symptoms are apparent immediately or the date on which the staff member becomes aware, or reasonably should have been aware, of such injury or illness, whichever is earlier;

(ii) Death: the date of death shall be established by a duly issued certificate of death.

(d) A determination on whether the claimant has complied with the time limitations for the filing of a claim, or other such procedural requirements, shall be made by the Board or the official with delegated authority to consider *de minimis* claims.

(e) The deadline for the filing of a claim, including all necessary supporting documentation, may be waived on an exceptional basis by the Board or the official with delegated authority to consider *de minimis* claims, in consultation with the Medical Services Division, in cases in which the claimant demonstrates that the delay was the result of incapacity. If a waiver is made, the claim must be submitted within the deadlines set out in article 2.1 (b) above, as applicable, the time frame for which will begin from the date of the cessation of the incapacity.

Article 2.2
Eligibility for coverage

(a) To be eligible to receive compensation under the present rules, the death, injury or illness underlying a claim must be service-incurred, as assessed in accordance with article 2.2 (d) below.

(b) The Advisory Board on Compensation Claims will assess whether the death, injury or illness is service-incurred and provide its recommendation on a claim to the Secretary-General. For *de minimis* claims, the official with delegated authority to consider *de minimis* claims will assess whether the death, injury or illness is service-incurred and take a decision on the claim on behalf of the Secretary-General.

(c) Such an assessment will be based on the claimant's submissions, and, as appropriate, the recommendations of the Medical Services Division, technical advice from ex officio members of the Board and any other relevant documentary or other evidence.

Service-incurred death, injury or illness

(d) A death, injury or illness is service-incurred if it is directly attributable to the performance of official duties on behalf of the United Nations, in that it occurred while engaged in activities and at a place required for the performance of official duties.

(i) Incidents on the United Nations premises: if an incident occurs on United Nations premises, the resulting injury, illness or death may be service-incurred, unless at the time of the incident the staff member is engaged in an activity outside the scope of the staff member's official duties;

(ii) Incidents off the United Nations premises: if an incident occurs away from the United Nations premises, the resulting injury, illness or death may be service-incurred if such death, injury or illness would not have occurred but for the performance of official duties, and if the incident occurred in any of the following circumstances:

a. During duly authorized official travel, subject to article 2.3 (a) (iii) below;

b. In the course of the staff member's commute, as defined in article 1.3 above;

c. While the staff member is otherwise in transit by direct route or at a location required for the performance of official duties.

(iii) An incident that occurs during the following types of official travel may be service-incurred only in cases in which the incident occurs during travel between the departure location and the destination location, as set out in the applicable travel authorization and itinerary:

a. Home leave travel;

b. Rest and recuperation travel;

c. Family visit travel;

d. Education grant travel in lieu of the child's travel;

e. Medical evacuation travel not related to a prior service-incurred injury or illness; or

f. Medical evacuation upon request by the staff member to his or her home country.

(iv) Special hazards: a death, injury or illness may be service-incurred if a staff member is on official travel or assigned to an area involving special hazards, as documented and addressed by authorized United Nations security and safety officials and the underlying incident occurred as a direct result of such hazards.

Aggravation of a pre-existing medical condition

(e) Claims based, in whole or in part, upon any aggravation of a pre-existing medical condition shall not be compensated unless such aggravation is service-incurred, and such compensation shall be solely for the proportion of the injury or illness deemed service-incurred.

Article 2.3
Excluded claims

(a) Claims shall not be compensable under the present rules if compensation is expressly excluded under conditions established by the Secretary-General, or where the death, injury or illness is the direct result of any of, but not limited to the following:

(i) Misconduct, recklessness or gross negligence by the staff member, including, but not limited to, an act or omission with the intent to cause harm or death to himself or herself or others;

(ii) Disregard by the staff member of security instructions provided or made reasonably accessible to the staff member;

(iii) Failure by the staff member to use appropriate safety devices or medical prophylaxis provided by the United Nations, unless and only to the extent that the death, injury or illness would have happened even with the use of such device or prophylaxis;

(iv) Physical confrontation or other violence by the staff member, unless reasonably required by the circumstances or as part of the staff member's official duties;

(v) Medical condition or other factors unrelated to the performance of official duties of the staff member, including, without limitation, pre-existing medical conditions, as defined in article 1.3.

Wear and tear to medical devices

(b) Ordinary wear and tear to medical devices, such as prosthetics and hearing aids, are not compensable, unless such device was granted in connection with a previously approved claim.

Section III
Compensation

In the event of a service-incurred death, injury or illness, the claimant will be awarded compensation as provided below, without payment of interest thereon. All such compensation, including adjustments thereto, shall be payable solely in United States dollars.

Article 3.1
Injury or illness

In the event of a service-incurred injury or illness, the following provisions shall apply:

Expenses

(a) The United Nations shall pay all medical expenses which are found by the Medical Services Division to be:

(i) Directly related to a service-incurred injury or illness;

(ii) Reasonably medically necessary for the treatment or services provided; and

(iii) At a reasonable cost for the treatment or services provided.

Sick leave

(b) Initial authorized absences in connection with a service-incurred injury or illness shall be charged to the staff member's sick leave entitlement under staff rule 6.2 until such entitlement is exhausted or the staff member returns to active duty. Subject to meeting all requirements, article 3.9 may apply.

Article 3.2
Total disability

In the event of total disability, upon the exhaustion of the sick leave entitlements pursuant to article 3.1 (b) above and upon the cessation of salary and allowances payable under the applicable Staff Regulations and Rules, the staff member shall receive annual compensation equivalent to 66.66 per cent of his or her last pensionable remuneration or, if the staff member has a dependent child, 75 per cent of the last pensionable remuneration. Such compensation shall be payable at periodic intervals for the duration of the disability and in addition to compensation payable under article 3.1 (a), as applicable.

Article 3.3
Death

In the event of the service-incurred death of a staff member, the following provisions shall apply:

Funeral costs

(a) The United Nations shall pay a reasonable amount for the preparation of the remains and for funeral expenses, but no more than three times the monthly G-2, step I, pensionable remuneration applicable at the time of death for the country where the funeral takes place, or, where there is no pensionable remuneration scale for the country where the funeral takes place, the pensionable remuneration scale for Headquarters in New York.

Expenses

(b) The United Nations shall pay medical expenses incurred prior to the date and time of a death which is found by the Medical Services Division to be:

(i) Directly related to a service-incurred injury or illness;

(ii) Reasonably medically necessary for the treatment or services provided; and

(iii) At a reasonable cost for the treatment or services provided.

Travel and repatriation costs

(c) Expenses for the travel of an eligible family member to attend the funeral or for an eligible family member or other designated individual to accompany the remains of a deceased staff member as well as the costs for the repatriation of the remains shall be borne under conditions established by the Secretary-General.

Article 3.4
Survivor dependants

Maximum compensation

(a) In the event of a service-incurred death of a staff member, the United Nations shall pay the compensation provided below to the staff member's spouse or other eligible dependant(s), provided that the total annual compensation payable shall not exceed 75 per cent of the last pensionable remuneration of the deceased staff member.

Spouse

(b) A spouse shall receive annual compensation payments, payable at periodic intervals, equal to 50 per cent of the deceased staff member's last pensionable remuneration. In the event of multiple spouses, such compensation shall be divided equally among the spouses. Upon the death of a spouse, his or her share shall be divided among any remaining spouses.

Dependent child

(c) (i) Each dependent child shall receive annual compensation, payable at periodic intervals in accordance with article 3.5 below, equal to 12.5 per cent of the deceased staff member's last pensionable remuneration. If there are two or more dependent children, the compensation payable shall not exceed the maximum set out in article 3.4 (a) and shall be divided equally among such dependent children.

(ii) If there is no surviving spouse, then in lieu of the compensation provided under article 3.4 (c) (i), a dependent child shall receive annual compensation, payable at periodic intervals and in accordance with article 3.5, equivalent to the amount provided under article 3.4 (b) for one dependent child in addition to an annual compensation, payable at periodic intervals and in accordance with article 3.5, equal to the amount provided under article 3.4 (c) (i) for all additional dependent children. Such compensation shall be divided equally among such dependent children.

Secondary dependants

(d) If there is neither a spouse nor a dependent child and there is a secondary dependant, the following compensation shall be paid:

(i) To a dependent parent, annual compensation, payable at periodic intervals, equivalent to 50 per cent of the staff member's last pensionable remuneration;

(ii) To a dependent sibling, annual compensation, payable at periodic intervals and in accordance with article 3.5 below, equal to 12.5 per cent of the staff member's last pensionable remuneration.

Article 3.5
Payments to minors

Payment of any compensation under the present rules to a minor shall be made to the minor's parent or legal guardian. All such compensation must be used in its entirety for the sole benefit of the minor.

Article 3.6
Permanent disfigurement or loss of function

(a) In the case of a service-incurred injury or illness resulting in permanent disfigurement or loss of function, a lump sum shall be paid to the staff member in the amount obtained by multiplying three times the staff member's pensionable remuneration at the time of the incident by the percentage of the degree of loss of function attributable to the service-incurred injury or illness pursuant to guidelines approved by the Medical Services Division for such a determination.

(b) Regardless of duty station, the staff member's pensionable remuneration utilized in the immediately preceding calculation may not exceed the pensionable remuneration of a P-4, step VI, and may not be less than the pensionable remuneration of a G-2, step I, at Headquarters in New York applicable at the time of the incident:

(i) In the event that the staff member's pensionable remuneration exceeds the pensionable remuneration of a P-4, step VI, the pensionable remuneration utilized in the immediately preceding calculation shall be that of a P-4, step VI;

(ii) In the event that the staff member's pensionable remuneration is less than the pensionable remuneration of a G-2, step I, at Headquarters in New York, the pensionable remuneration utilized in the immediately preceding calculation shall be that of a G-2, step I, at Headquarters in New York.

Article 3.7
Relation to benefits under the United Nations Joint Staff Pension Fund

Compensation awarded pursuant to the provisions set out below is intended to supplement the benefits under the Regulations of the United Nations Joint Staff Pension Fund in accordance with the following provisions:

(a) Any compensation otherwise payable under articles 3.2 or 3.4 above shall be reduced by the amount of the claimant's disability benefit or a survivor's benefit under the Regulations of the United Nations Joint Staff Pension Fund. Deductions made under the present rules shall in no case have the effect of reducing the compensation otherwise payable to less than 10 per cent thereof, provided in all cases that the total annual amount payable both under the present rules and under the Regulations of the Fund shall in no event exceed 75 per cent of the staff member's last pensionable remuneration.

(b) The sum of (i) benefits under the Fund and (ii) compensation payable under articles 3.2 and 3.4 above, after being adjusted under the present rules, shall in no event exceed 75 per cent of the staff member's last pensionable remuneration.

(c) When benefits under the Fund are adjusted for variations in cost of living, compensation payable under articles 3.2 and 3.4 above shall be correspondingly adjusted.

Article 3.8
Relation to non-United Nations compensation

(a) In determining the amount of compensation payable under the present rules, the amount of any compensation or benefits under governmental, institutional, industrial or other workers' compensation schemes, but not personal insurance, for which claimants qualify shall be deducted from any amounts payable hereunder.

(b) The claimant shall not be entitled to compensation or receive reimbursement under the present rules for medical expenses related to a service-incurred death, injury or illness if such expenses:

(i) Have already been compensated or are compensable under such governmental, institutional, industrial or other workers' compensation schemes; or

(ii) Have been reimbursed by health or medical insurance.

(c) The claimant shall inform the Advisory Board on Compensation Claims without delay of any compensation under governmental, institutional, industrial or other workers' compensation schemes or insurance for which the claimant may be eligible in connection with the death, injury or illness underlying a claim.

Article 3.9
Relation to other benefits under the Staff Rules

Special leave

(a) Once a staff member's sick leave entitlement has been exhausted pursuant to article 3.1 (b), and if such staff member has not separated from the United Nations, the staff member may be placed on special leave pursuant to staff rule 5.3.

Sick leave credit

(b) Sick leave credit, which is a grant of some or all of the sick leave entitlement which has been used for a service-incurred injury or illness, may be granted in the following cases:

(i) To maintain the full pay status of a staff member when sick leave is approved by the Medical Services Division for an injury or illness which is not service-incurred and when the claimant has insufficient sick leave for such non-service-incurred injury or illness due to a prior use of sick leave for a separate injury or illness, which was recognized under the present rules as service-incurred. Such a grant is limited to the maximum extent of the prior sick leave used for the separate service-incurred injury or illness. No credit will be granted for any sick leave already revived under the time frames of staff rule 6.2 (b);

(ii) To maintain the full pay status of a staff member being considered for a disability benefit pursuant to article 33 (a) of the Regulations of the United Nations Joint Staff Pension Fund, who has exhausted his or her sick leave entitlement. A determination as to whether a claimant should be considered for such a benefit shall be made in consultation with the Medical Services Division pursuant to the established procedures of the United Nations and the Regulations of the United Nations Joint Staff Pension Fund. Such sick leave credit may be granted solely to maintain full pay status until the date of termination of the staff

member's appointment or other separation from service pursuant to article 33 (a) of the Regulations of the United Nations Joint Staff Pension Fund, unless other arrangements apply during that period under conditions established by the Secretary-General.

Home travel

(c) A staff member who is unable to work for a period of at least six months owing to a service-incurred injury or illness, and for whom the Medical Services Division has so certified, may request consideration for a special travel allowance for travel of the staff member and eligible dependants to the place of entitlement, pursuant to chapter VII of the Staff Rules, and for their return travel when the staff member returns to duty. If such travel is commenced or terminated within 12 months of the staff member's eligibility for home leave entitlement pursuant to staff rule 5.2 and chapter VII of the Staff Rules, such special travel allowance shall be deemed to be in lieu of the staff member's home leave entitlement. If the staff member does not return to duty, such special travel allowance shall be deemed to be in lieu of travel on separation pursuant to chapter VII of the Staff Rules.

Section IV
Recoveries

Article 4.1
Claims against third parties

Notice

(a) All persons who submit a request for compensation for a service-incurred death, injury or illness under the present rules must notify the Secretary-General in writing at the earliest possible time of any claims, demands or rights that they have pursued, that they are pursuing or that they intend in the future to pursue against any third party or parties in connection with such service-incurred death, injury or illness.

Assignment of rights

(b) If, in the opinion of the Secretary-General, a claimant has a claim, demand, or right against a third party or parties, including a third party insurance carrier, for damages or other payment(s) in connection with a service-incurred death, injury or illness, the Secretary-General may, as a condition for granting any compensation to the claimant, require the claimant to assign such claim, demand or right to the United Nations so that the United Nations may pursue or enforce the claim, demand or right in the place of the claimant.

Assistance in pursuing or enforcing claims, demands or rights

(c) Where the United Nations has decided to pursue a claim, demand or right against a third party or parties pursuant to subparagraph (b) above, the claimant shall provide to the United Nations all assistance and cooperation that is necessary for pursuing or enforcing the claim, demand or right, including participating in any suit or proceedings.

Settlement

(d) The United Nations is entitled to settle any claim, demand or right against a third party or parties pursuant to subparagraph (b) above on such terms and conditions as it determines to be reasonable. A claimant, who has assigned a claim, demand or right under subparagraph (b), shall provide the United Nations all

assistance as may be required to reach a settlement, including, but not limited to, participating in any settlement negotiations and executing all settlement-related documents. The claimant shall not, under any circumstances, settle any claim, demand or action with any third party or parties without the express written consent of the United Nations.

Proceeds

(e) Where compensation or proceeds have been received from a third party or parties as a result of a suit, proceedings or a settlement reached pursuant to subparagraphs (b) to (d) above, such compensation or proceeds shall be applied:

(i) First, to pay in full the costs of the suit, proceedings or settlement, including reasonable attorney fees;

(ii) Second, to reimburse the United Nations for any compensation provided to the claimant pursuant to these rules; and

(iii) Third, to pay the remaining amounts to the claimant.

Future claims

(f) Any amount of compensation that a claimant may be entitled to receive in the future pursuant to the present rules shall be first used to offset any monies received by the claimant under subparagraph (e) (iii) above.

Article 4.2
Recovery of overpayments

(a) If the United Nations has paid a claimant in excess of any compensation payable under the present rules, the United Nations will notify the claimant of the amount of overpayment and request reimbursement.

(b) If immediate reimbursement in full is not feasible, any future periodic payments of compensation payable to the claimant under the present rules shall be reduced by 20 per cent until the overpayment has been reimbursed in full. If immediate reimbursement in full of any lump-sum payment made under the present rules is not feasible, the Secretary-General will seek recovery by means including, but not limited to, the reduction of any future lump sum payments of compensation payable to the claimant under the present rules by the entire amount of the overpayment.

Section V
Reconsideration, review and appeal

Article 5.1
Reconsideration of medical determinations

Claimants wishing to contest a decision taken on a claim under the present rules, when that decision is based upon a medical determination by the Medical Services Division or the United Nations Medical Director, shall submit a request for reconsideration of the medical determination under conditions, and by a technical body, established by the Secretary-General.

Article 5.2
Review and appeal of administrative decisions

Claimants wishing to contest a decision taken on a claim under the present rules, to the extent that the decision was based on considerations other than a medical determination, shall submit to the Secretary-General a written request for management evaluation in accordance with staff rule 11.2.

Article 5.3
Reopening of claims

Upon a written request by a claimant, or at the initiative of the Secretary-General, a claim made under the present rules may be reopened when one or more of the following criteria are met:

(a) The discovery of new material evidence, if such new material evidence may materially affect:

(i) A determination as to whether a death, injury or illness was service-incurred; or

(ii) A relevant medical determination;

(b) A worsening or improvement in the condition of the staff member, where such worsening or improvement is directly related to the service-incurred injury or illness, and which may entitle the staff member to additional compensation, or warrant the reduction or elimination of compensation;

(c) A material mistake was made by the United Nations in the processing of a claim that had an impact on its disposition.

When a claim is reopened subject to the provisions above, any such claim shall be considered in accordance with the present rules. The Secretary-General and the claimant shall be bound by determinations previously made, unless new material evidence or material mistake undermines or otherwise calls into question in substantial part those determinations.

Section VI
Transitional measures

Article 6.1
Transitional measures

(a) For claims filed for incidents occurring after the entry into force of the present revised rules, such revised rules will be applied.

(b) For claims filed for incidents that occurred prior to the entry into force of the present revised rules, the previously applicable rules will be applied, except that annual compensation for widows or widowers under the former article 10.2 will continue to be payable provided that the widow or widower has not remarried prior to the entry into force of the present revised rules.

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